

GOVERNMENT OF GUAM
DEPARTMENT OF LAND MANAGEMENT

874965

OFFICE OF THE RECORDER

RECORDING DATE: FEBRUARY 19 2015		874965	NO. PAGE:				
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Appointed Deputy Recorders for Ex-Officio Recorder <i>Lisa Q. Manggar</i> ; Lisa P. Cruz , Jane T. Yamasaki; Victoria C. Torres; Amy T. Bautista; Joel Antenoracruz;		Signature of Recorder 					
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State of Guam, Government of Guam
Department of Land Management

874965

File for record in accordance with No.

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Attending For DE-OFFICIO

Deputy Recorder

[Signature]
Manager

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ORIGINAL

**GUAM LAND USE COMMISSION
REGULAR MEETING MINUTES**



Department of Land Management Conference Room
ITC Building, Tamuning



Thursday, January 22, 2014
1:40 p.m. to 3:40 p.m.

GUAM LAND USE COMMISSION

Thursday, January 22, 2015

Department of Land Management Conference Room
ITC Building, Tamuning

MEMBERS PRESENT:

Mr. Lawrence Rivera, Chairman

Mr. John Arroyo, Vice Chairman

Ms. Beatrice "Tricee" Limtiaco, Commissioner

Ms. Conchita Bathan, Commissioner

Mr. Victor Cruz, Commissioner

Mr. Michael Borja, Executive Secretary

ABSENT:

Mr. Andrew C. Park, Commissioner

STAFF PRESENT:

Mr. Marvin Quitugua Aguilar, Guam Chief Planner

Ms. Celine Cruz, Planner IV

Mr. Penmer Gulac, Planner IV

Ms. Cristina Gutierrez, Recording Secretary

GUAM LAND USE COMMISSION
GUAM SEASHORE PROTECTION COMMISSION
Attendance Sheet

Department of Land Management Conference Room
590 S. Marine Corps Drive, 3rd Floor, ITC Building, Tamuning

Date of Meeting: Thurs., January 22, 2015

Time of Meeting: 1:40 pm

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COMMISSION MEMBERS

Lawrence S. Rivera, Chairman

John Z. Arroyo, Vice Chairman

Conchita D. Bathan, Commissioner

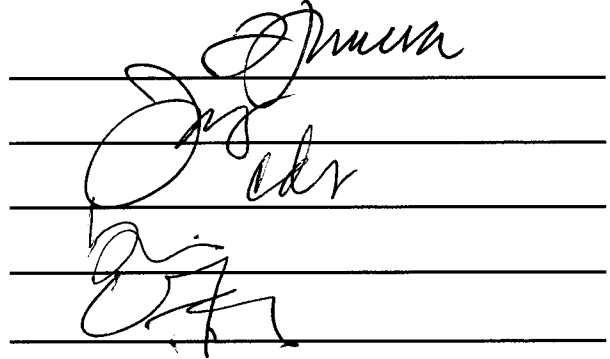
Beatrice "Tricee" P. Limtiaco, Commissioner

Victor F. Cruz, Commissioner

Andrew C. Park, Commissioner

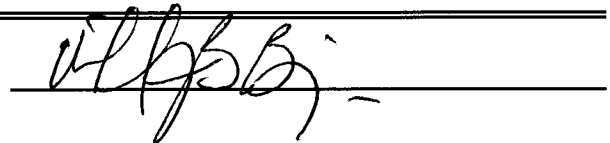
Vacant, Commissioner

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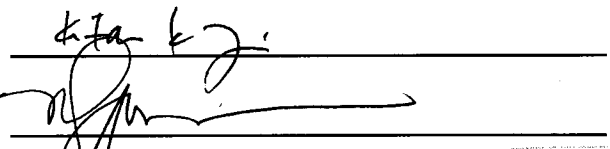


Absent

Michael JB Borja
Executive Secretary



Kristan K. Finney, Legal Counsel



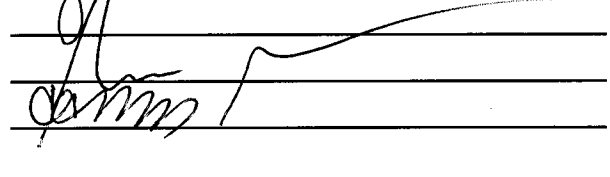
Marvin Q. Aguilar, Guam Chief Planner

Frank Taitano, Planner IV

Penmer Gulac, Planner IV

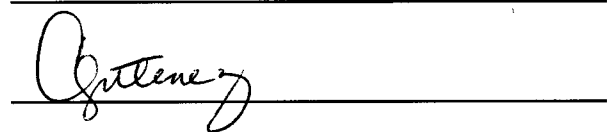
Celine Cruz, Planner IV

~~Mario Garcia, Planner III~~ 



Joseph Guevara
Chief Bldg. Inspection Administrator (DPW)

Cristina Gutierrez, WPS II



ADJOURNMENT: 3:40 pm

Public Attendance Record

<input checked="" type="checkbox"/>	GLUC	<input checked="" type="checkbox"/>	Regular	Date:	Thursday, January 22, 2015	
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Speakers Sign-In Record

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<input type="checkbox"/>	GSPC	<input type="checkbox"/>	Special	Time:	1:40P	
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GUAM LAND USE COMMISSION REGULAR MEETING MINUTES

Department of Land Management Conference Room

Thursday, January 22, 2015 • 1:40 p.m. to 3:40 p.m.

I. Notation of Attendance

Chairman Rivera called the regular meeting of the Guam Land Use Commission hearing for Thursday, January 22, 2015 to order at 1:40 p.m.; noting a quorum.

Present were: Chairman Lawrence Rivera, Vice Chairman John Arroyo, Commissioner Conchita Bathan, Commissioner Tricee Limtiaco, Commissioner Victor Cruz, Executive Secretary Michael Borja, Legal Counsel Kristen Finney, Guam Chief Planner Marvin Aguilar, Case Planners Celine Cruz and Penmer Gulac and Recording Secretary Cristina Gutierrez.

Absent: Commissioner Andrew Park

II. Approval of Minutes

Chairman Rivera next on our agenda is the approval of Minutes of the Guam Land Use Commission regular meeting of Thursday, December 11, 2014.

Commissioner Limtiaco Mr. Chair, I move to approve the Minutes of our GLUC meeting of Thursday, December 11, 2014; with any corrections to be submitted to our Recording Secretary by end of business day today.

Commissioner Bathan I second.

Chairman Rivera moved and seconded. Is there any discussion? If not, all in favor of the motion to approve the Minutes say "aye" [**Chair Rivera, Vice Chair Arroyo, Commissioners Limtiaco, Bathan and Cruz**], those oppose say "nay."

[Motion to approve December 11, 2014 Minutes was passed unanimously; 5 ayes, 0 nay]

III. Old or Unfinished Business

Chairman Rivera Marvin, is there any old or unfinished business?

Marvin Aguilar (Chief Planner) none sir.

IV. New Business

Zone Change

- A. The Applicants, Su Qun Wang and Kui Fang Wang represented by FC Benavente, Planners; request for a zone change from "R1" (Single Family Dwelling) to "C" (Commercial) zone, for the proposed construction/operation of a grocery store and office/commercial building on Lot 2320-NEW-2, in the Municipality of Mangilao, under Application No. 2014-10. Case Planner: Celine Cruz

Celine Cruz summarizes the staff report to include purpose, facts, public hearing results, staff analysis/discussion, conclusion, recommendation and conditions. [For full content/context of the report, please refer to Attachment A.]

[Attachment A – Staff Report dated January 8, 2015]

Chairman Rivera questions for staff? At the public hearing was the Mayor there or any of the Mayor's staff?

Celine Cruz no; it was just myself, Felix Benavente and one concerned citizen.

Chairman Rivera this Cecilia Guerrero is she within the 500-foot radius.

Celine Cruz yes, and she did get a certified letter from us.

Chairman Rivera we appreciate the presence and the input of the surrounding neighbors and we cherish that and that's the reason why we have the public hearings. Other than that I know the other gentleman is just concerned about flooding.

Good report. If there is nothing further for staff let's go to the applicant. Please introduce yourself for the record.

Felix Benavente (representing the applicant Mr. and Mrs. Wang) I just want to introduce to you...with me is Mr. Richard Taijeron Sana who's going to be working with me ... with my company or with me on projects that I do. Richard was a Planner with Land Management years ago, has worked with Duenas and Associates with Mr. Dan Swavely on the Tumon Master Plan before it became "H" zone. He's also worked over 10 years in Saipan Coastal Zone Management.

Richard Sana I went over there when they adopted their zoning law to help them implement their law.

Felix Benavente Coastal Management and Environmental Services has got some kind of control over their land use. When they down played the zoning office (I also worked with the zoning office when they opened) and when they pretty much killed it, the only agency left to review land use was the Department of Environmental Quality and the Coastal Zone Management and they became the zoning board.

I am very pleased with the staff report and we concur. And we have gone through the due diligence process of the zone change and we did meet and talk with Mr. Baza at the public hearing. Mr. Baza actually lives kind of away towards the Michelle Restaurant and back. So, he is not adjacent to this lot. And he did say that his flooding or whatever problems he has with floods is not being caused by this property.

Michael Borja his property is on a slope.

Felix Benavente yeah, it's on a slope and it's in the back.

(Displays property map and photos of the subject property. Mr. Benavente explains the location of Mr. Baza's property and presents photos of the property taken from Pacific Tyre; there is a residence and a fence and the property continues down to the road, but did not fence the rest of the property because it's just a little sliver and cut off the fencing. There is an existing storage building on the property and there's also an existing residential building on the property.)

Chairman Rivera is there a residential close by to the property?

Felix Benavente well behind it is ... there's a lot in the back and it's like a rooster stable (coop). And as you are facing the lot there is a residence on the right side of it, the right boundary; 2320-1 on the church direction or the Barrigada direction. There's a house adjacent to the lot. But on the left side as you can see there's boonies over here.

Commissioner Cruz there's no residence on the lot.

Felix Benavente there is a residential building on the lot that they intend to tear down.

Michael Borja it's a fenced off lot right and it looks like it's being used for non-residential purposes.

Richard Sana actually the dwelling there is vacant.

Commissioner Limtiaco Felix, where does the current tenant access the lot? Is it through Route 10 or is it go to a side street.

Felix Benavente through Route 10; there is a fence. Mr. Wang's father when he comes to Guam to visit he kind of like moves in there and then he leaves. Recently, they planted a whole bunch of papaya trees along the Route 10 side, it's really nice. I was asking him why he did that and he said because his father was bored.

Chairman Rivera your main entrance to the building would be the main route. Where would be the main entrance and exit?

Felix Benavente we need to have a separate entrance and exit on Route 10. And we did read the Public Work's position statement on the staff report, and they did say they want to have input on entrance/exit. And we also need to clear with them on the storm-water program and that is in the Public Works' position statement.

Chairman Rivera there's another road in the back right. Can you exit that?

Richard Sana no, I don't think so; they're bound immediately by the property owners on the back and on the side.

Commissioner Cruz what are they currently storing on the lot?

Felix Benavente construction materials.

Vice Chair Arroyo are they going to continue to maintain the fence once they develop the property?

Felix Benavente it kinda (sic) makes sense if they do for security purposes; they can lock up their entrance and exit of the building. I would think they would and I would suggest that they keep the fence.

Commissioner Cruz so you're saying that once they start to develop they will demolish that residential.

Felix Benavente yes, that's the plan.

Chairman Rivera you're going to maintain that single dwelling home for storage or something?

Felix Benavente no, the plan is to tear that building down.

Michael Borja it doesn't look very nice until they started planting the trees. Once they build something there it will look nice and at least they've fenced it.

Felix Benavente that's our presentation.

Chairman Rivera it's right on the road. Any questions for the applicant?

Commissioner Limtiaco I have a question for the Chief Planner. The easement that is behind this lot is that easement ... does that easement connect to the boundary of this lot?

Marvin Aguilar yes it does ma'am. It's a 20-foot, and what I think is a converted bull-cart trail. I recall that you can access that bull-cart trail or that easement from Sanko Gardens (I don't know the name of it) road ... Corpuz Street? You can access that and it is available for the property if that's the question.

Commissioner Limtiaco so just to be clear. You access Corpuz Road and there's a bonafide easement that it's off of Corpuz Street and it is north of the subject property and that easement is along the rear boundary which is the east boundary to Lot 2320-1 and it does connect to the subject property.

Marvin Aguilar yes ma'am.

Vice Chair Arroyo does it go all the way down ---

Marvin Aguilar no it doesn't. Forgive me for not bringing the map in; it goes in about maybe 40-feet or maybe less.

Commissioner Cruz so, it doesn't abut the property?

Marvin Aguilar it does abut the property sir; the opposite side of Route 10.

Vice Chair Arroyo apparently there's even in the back.

Marvin Aguilar there is an easement in the back it's not showing in any of the

Richard Sana you say it was originally a bull-cart trail so that already was a 12-foot trail and then they ---

Marvin Aguilar it varies, and then when you want to use it you convert it to like a 20 or something consistent.

Richard Sana I know the people that live behind there.

Marvin Aguilar and I think they use this.

Chairman Rivera when you look at this map you see that Martha (?) Lane there? It connects right to the back there, the small portion in there. That's why I said is there a road there. That's the only reason why I asked of that is because we don't really ... that shouldn't be an

emergency entrance or exit for storing. It should be closed. That's why I was asking if your main entrance/exit will be the main route.

Any other questions?

Commissioner Cruz I got a question for Mr. Benavente. You know we were discussing it among ourself (sic), I know that the Mayor did not show up at the public hearing. Did you at any during time try to communicate with the Mayor to find out how they stand on the issue or what?

Felix Benavente yes; actually yesterday I went the Mayor's Office. I had seen the Mayor that afternoon at a lunch function. You know Mayor Nito Blas comes and goes. I talked to his secretary because the Mayor wasn't in yet; he's a pretty hard guy to find in his office. She wrote it down and I gave a copy of the cover of the application. Texted him before the meeting ... communicating with the Mayor personally, no, but with the Mayor's office yes. I was assured that he would come here. And I always like to say that traditionally Mayor Blas is always in full support of development in his village, and I also want to say that as background that when the northern land use plan was presented in Mangilao by Bureau of Planning and their consultants, the Mayor was excited about having this village center because Mangilao doesn't have a village center. So, when the Bureau of Planning talked about the intersection of Route 15 going up to UOG, and now to Payless, that area is starting to become Mangilao's center. As a result, the Mayor actually got excited and built his village market which has been very successful. I'd like to say, and I hope you agree with me, but that village market which on Thursday nights is a result of the original Bureau of Planning's concept of a village center for Mangilao between the two intersections. It kind of makes sense.

Chairman Rivera I'm glad that you indicated that Vic because that was really one of the concerns. It's a project right down his office and it's a commercial fronting. We kind of always emphasize we really like some sort support from the Mayor, but we understand the situation. It's kind of hard to obtain when the guy is always busy. But, at least you made the effort to kinda get him in here to support this and to support the project.

You know Felix the project is great, it's right there. A lot of the commercial plan, of course conceptual plan only on ... the site plan will happen when the building permit process comes in. We only look at what your intent on your draft. All we ask is to make sure whatever commercial activity you have there in the future that is welcome in the community and it's not something that is not expected to happen like a 24-hour You know, things that attracts unwanted individuals; like 24-hour Laundromat for example. I have one right up my street and it's not feasible in certain areas. And I just hope that a lot of residents' concern is they don't want any game room, strip joints, adult things of that nature. Keep it within your community kind of layout. You can't control that you know; at least indicate what we like to see in that area, something acceptable by the community.

Felix Benavente noted Mr. Chairman.

Chairman Rivera any other questions.

Michael Borja I'd just like to note too that without the Municipal Planning Council's letter I have this as a standing policy within the department for summary zone changes and any of that stuff, the Legislature indeed ... I ask them too that if they were going to entertain any zone changes that they at least get the Municipal Planning Council ... especially when there's an issue where it's going to go up to a commercial zone that doesn't have certain conditional purposes attached to it. Anything can go there. They can sell the property and it doesn't matter what they can build anything else there. So, I don't think that there's going to be any objection from the Mayor or maybe his Municipal Planning Council because that whole area most likely will all eventually become a commercial zone at some point. If the Commissioners here decide they want to proceed without it, I have no objection. I try to make sure that we at least ensure that the community places their formal input into this process.

Commissioner Limtiaco Mr. Secretary, I have a question. Does Mangilao have an MPC?

Michael Borja well, they ... I could answer that I haven't been called to one before over there. But most of the Mayors, even Inarajan has a Municipal Planning Council; so, I think they're all asked to establish a Municipal Planning Council for their community. And Mangilao is actually one of the larger villages on the island already. It's got a great amount of expanse from Latte Heights all the way down ... pretty large.

Chairman Rivera okay, we've been through that. We ask, like the Dededo Mayor she's pretty kind of like prompt in providing that, and I don't want to hold hostage a project.

Okay, we need public comments. At this time if there's no questions for the applicant we'll go ahead and open for public comments. Any public comments out there?

Public Comments (seeing none, Chairman Rivera closed the public comment portion for this application.)

Chairman Rivera any additional comments Commissioners? If not, can we move forward please.

Commissioner Limtiaco Mr. Chair, one comment and to kind of piggyback somewhat what our Executive Secretary had said. Normally, I think that the zone changes where normally (inaudible) and it's not part of, not consistent with the master plan or there's some issues that might be of concern. I think that generally this Commission will ask the applicant to go back and obtain a letter of support or non-support from the MPC. But, I think in this case for all the foregoing reasons that were discussed, I think that this zone change should be granted.

Therefore; I move to approve Application No. 2014-10 requesting a zone change from R1 to C-zone on Lot No. 2320-NEW2, in the Municipality of Mangilao condition upon the Application Review Committee's comments, specifically DPW's conditions:

- 1) That drainage water disposal must be shown in detail in the final drawings and be supported with calculations;
- 2) Parking layout and parking stall must be ADA;
- 3) Adequate egress/ingress must be coordinated with Division of Highway, Rights-of-Way; and,
- 4) If the owner chooses to use GSWA disposal or any private services that the location of the trash can should be situated in an area that will not hinder the public rights-of-way nor be inconvenient for the nearby residences.

Commissioner Cruz I second.

Chairman Rivera motion for approval by Commissioner Limtiaco, seconded by Commissioner Cruz. Any discussion? If not, let's move for vote.

All in favor of the motion for approval say "aye" [**Chair Rivera, Vice Chair Arroyo, Commissioners Limtiaco, Cruz and Bathan**], all oppose say "nay."

[Motion to approve Application 2014-10 was passed unanimously; 5 ayes, 0 nay.]

Michael Borja I would like the good Commissioners know that Mr. Benavente will soon be moving on to another position with the government.

Chairman Rivera our next item on the agenda –

V. Administrative and Miscellaneous Matters

Agricultural Subdivision Map

- B. The Applicants, Peter R. and Ellen J. Wilkinson represented by Virgilio Olivares (PLS #77); pursuant to P.L. 28-126, Section 1(a), requests approval of its agricultural subdivision map DLM 084FY2013, located on Lot 11-5NEW-R4, Tract 1044, in the Municipality of Dededo, under Application No. 2015-09.
Case Planner: Marvin Aguilar

Marvin Aguilar we have this listed under miscellaneous matters, but we actually do have other issues to be brought before the Commission. It wasn't listed on the agenda; but, we do have certain individuals in the audience that we'd like to discuss some of their situations that involve the Guam Legislature, and that wasn't added to the administrative section as well.

Chairman Rivera I would like to discuss an administrative matter that we received which is that resolution from the Chamorro Land Trust. But, I'd like to go through the agriculture subdivision map first and then we go back to the other items.

Marvin Aguilar if I may, I do have Mr. Lance Kawahara in the audience right now and so maybe after this we can entertain his situation which I didn't prepare anything for. He was actually directed by the Guam Legislature to work with the Department of Land Management and some of those steps and actions that have to occur is going to involve the Guam Land Use Commission. Two properties that need to either go through a zone change (take that back) go through a conditional use permit to support ongoing church operations in both Agat and Dededo.

But, let me go through the agricultural map first. And before I press on, I would also like to make a correction on my staff report; Item 2 under 2B (rather the table); I noted the 4th lot as Lot 5NEW-8; I stand corrected, **that is supposed to be Lot 5NEW-R7.**

Mr. Aguilar continues with the summarization of staff report to include purpose, facts, staff analysis/discussion, conclusion, recommendation and conditions. **[For full content/context of the staff report, please refer to Attachment B.]**

[Attachment B – Staff Report dated January 16, 2015 with corrections noted]

Michael Borja can I just add a correction on here. On your map, I think that's FY2013.

Marvin Aguilar so noted, thank you sir.

Chairman Rivera any questions for staff?

Commissioner Limtiaco for the record through the Chief Planner; I know that you took great pain to note the definition of lot parceling. For the record, for the Minutes, for this application and then for future, would you please summarize the definition of lot parceling and indicate when in the process a lot parceling is allowed and if there are any restrictions in lot parceling.

Marvin Aguilar in a nutshell the subdivision law allows for certain methods and definitions of lot subdivision, and it goes through this (if you may) an incremental process. So, imagine you have a large tract of property and try to methodically subdivide it into small lots and then smaller lots or subdivisions and then further small subdivisions. The first land subdivision for any large or medium tracts of land will be technically parceling and preferred parceling. So, they throw out the number five lots or less. So, if you had this piece of property your first action to subdivide it would be to create five lots, and then from there you go to subdivision, re-subdivision and so on and so forth. In the Subdivision Law they first identify parceling as ... identify the use of parceling or subdivision at the creation of the Subdivision Law back in 1967. And it basically said any lots existing prior to the passing of this law may be subjected to a parceling

subdivision. Because Public Law 28-126 was created and that shot the parceling date forward to April 2004 or 2007, promulgation of P.L. 28-126. So, that allowed folks now to come in and apply the parceling rule. Now, the parceling rule can only be applied to a piece of property once and that's what happened in this case. They came in and created the first five lots; lots 1 thru 4 with the remaining and larger tract and then attempted to re-parcel it again before we caught it because under their subdivision map which was 154FY2014, we stated that it needed to go before the Guam Land Use Commission for additional consideration pursuant to the current law.

Commissioner Limtiaco so, are you saying that the initial lot parceling or the law is not required or it's not mandate the requirements of a subdivision.

Marvin Aguilar no it didn't, and it's an exemption of the law. Section 1(d) lists several exemptions; parceling, family distribution, court distribution, parental subdivision and consolidation and re-subdivision. So, the Commission basically doesn't see those maps at all. But again, 28-126 came in as an additional safeguard for the reviewing government agencies to, as you would say a bite of the apple, before it's approved.

Chairman Rivera well you know I guess the history on this. It came in first to do the parceling which is 1, 2, 3 and 4.

Marvin Aguilar and in fact this new map is actually calling it parceling. We're going to do an internal correction on that we're going to call it an agricultural subdivision.

Chairman Rivera which it should be in the first place right?

Marvin Aguilar if it had come in the first time and said we want to do eight lots all together do it properly. If they had come in for eight lots in the beginning, then we would be going through the agricultural subdivision ... it would be going through this process.

Vice Chair Arroyo and the primary difference is whereas a subdivision you have to have the infrastructure in?

Marvin Aguilar well, when we talk about infrastructure, and again this is an agricultural subdivision, and the minimum requirements for infrastructure is there sometimes 40, more desirable, 50-foot wide gravel roads instead of paved concrete or asphalt, curb and gutter, you need water and power, minimum.

Vice Chair Arroyo does it also require that you parcel the land?

Marvin Aguilar by law you need to state whether water and power is available.

Commissioner Cruz if it's not available does it hamper the subdivision?

Marvin Aguilar from the way I look at it I wouldn't buy a piece of property if it didn't have water or power because that would be additional cost for me. Now it becomes an encumbrance on the property because now you're ... if you bought the property at the very end you're bringing all that water and all that power to your property and who knows how Waterworks and GPA takes care of that. But, at the end of the day that's an additional cost. So, they came up with the law (and I can't cite it at this point), but you do have to state whether you have water and power. It is not a caveat to subdivide a map; you can still proceed to subdivide land with or without water and power.

Commissioner Limtiaco so, just going back to the Vice Chair's question; so, if there's a large tract of land and the owner of that tract wants to parcel it to five or less lots, then they can do that without the Guam Land Use Commission's permission or its approval, and the lot parceling does not require any of the infrastructure which includes even Kaskahu Road as an agricultural subdivision would. But they only get one bite of the apple.

Marvin Aguilar one bite of the apple, but it's more for the advantage of the government because when you see a tract of land you want to give it a name. And if you look at some of the old maps you have a lot number that goes from ... you have to use two pages to identify the lot. Even giving it a name, a tract number parceling is necessary for us. We start from there and work our way down. And ultimately, just to make sense of what that property is and how we can master plan.

Commissioner Cruz my question then is, you know, subject lot that's been parceled into that five. Landowner changes within that and this individual wants to take one of that parcel and come into divide can they still do a parcel or would it go into a subdivision?

Marvin Aguilar it would go into a subdivision. This area and by its design as well, if you look at the 2702 square meter lot serviced by a panhandle you can't subdivide those. The lots fronting Kaskahu you have 1850 square meters, and the only way to subdivide those properties is through a parental subdivision or if the court was to step in and said you will parcel it or we'll subdivide it.

Michael Borja have any of you been in this specific area before? It's gorgeous; big huge canopy trees, it's gorgeous.

Commissioner Cruz this goes all the way up to Mataguac (sp?) and then takes you all the way up to Marine Drive.

[Discussion on location of the subject property continues for a brief moment amongst the Commission.]

Commissioner Cruz I'm still trying to figure out why they did the panhandle that way.

Marvin Aguilar actually we're encouraging folks not to use back to back "T" type; they fight, they call it something else other than a panhandle.

Commissioner Cruz (inaudible due to excessive noise) portion, if they were going to put water (undecipherable) will be out at the entrance and then if they're going to put power that means Guam Power Authority will require them to provide utilities for that to bring that in. One more question. You know where Lot 15-1 Tract 292 right? Why is their property marker all the way up to almost like the center of the road?

Marvin Aguilar that's a result of the subdivision of Tract 1044 as a whole.

Commissioner Cruz you see the property right where the word Chalan Kaskahu is? If you look at the site it goes out towards the middle and then it goes like a dotted line like the old survey type. So, is this now considered an R/W?

Michael Borja that's just showing where the road is actually at.

Commissioner Cruz because this guy's property line is out at the center of the road.

Marvin Aguilar yes sir; the dotted is something about ... the Executive Secretary is correct. It's only talking about the pavement.

Commissioner Cruz the what??

Marvin Aguilar the 6.77 meter wide

Commissioner Cruz but you're looking at the top that says 15.240. Right below the lot number there's two easements. Because if you look at the one to the left they made it Lot 16-R/W and the one on the right they also have R/W that area there.

Marvin Aguilar if you were to resubdivide or subdivide 15-1 which is opposite they're going to have to sever that portion as well, and likewise with this lot to the south. It's not showing this map because the severance occurred in a different map for Lot 11-2-R/W.

Chairman Rivera the property is big enough the septic tank.

Commissioner Cruz actually Yigo the property line for this is Yigo when you take this road and you pass it it kinda veers to the left there's a hill the top hill is where the property between Dededo and Yigo.

[Lengthy discussion continues on examples of municipal boundaries.]

Commissioner Bathan anyway, going back to the agricultural map.

Chairman Rivera the property is ... the density is enough to accommodate.

Michael Borja if you notice on the signature page if you notice it started in 2013 and concluded in 2015; and the big delay was there was no Chief Engineer for Public Works.

Commissioner Limtiaco Mr. Chief Planner, will you have the applicant change or will you line out the certification statement on top of every other agency other than

Marvin Aguilar no ma'am, that's by law.

Chairman Rivera okay let's move forward.

Vice Chair Arroyo Mr. Chair, I would like to make a motion to approve Application 2015-09 relative to the application of Peter and Ellen Wilkinson their request for approval of an agricultural subdivision map DLM Map 084FY2013, Lot NO. 11-5NEW-R4, Tract 1044 in the municipality of Dededo subject to conditions set forth in the Chief Planner's staff report dated January 16, 2015; items A thru D.

Commissioner Limtiaco I second.

Chairman Rivera motion by Vice Chair Arroyo, second by Commissioner Limtiaco; any final discussion? If not, we'll go ahead and vote.

All in favor of the motion to approve say "aye" [**Chairman Rivera, Vice Chair Arroyo, Commissioners Limtiaco, Bathen and Cruz**], all oppose say "nay."

[**Motion to approve Application No. 2015-09 passes unanimously; 5 ayes, 0 nay**]

[**Chairman Rivera calls for a five minute recess. Commission recesses at 2:35 p.m. and reconvenes at 2:45 p.m.**]

Chairman Rivera we are back in our meeting.

Marvin Aguilar if I may sir; we have two items here. In the audience we have Mr. Lance Kawahara (would you like to come before the Commission sir?)

Michael Borja let me just add on why Lance is here for. In the middle of last year there were two bills brought before the Legislature for consideration to rezone two sets of properties; one I believe in Agat and the other in Dededo from R1 to commercial, and it was for different churches. We suggested to the senators at the time that they rezoning was not proper for the change to commercial for the church because there's also a conditional use permit for a church. And so the senators asked Mr. Kawahara to work with us on this. And so he's coming to us now to let you know to let you know that he had two existing churches and I believe the conditional

use expired, the permits expired, and he just needed to renew them again. But, these are for two church facilities on those properties that they wanted to continue to operate as churches. So, I'll leave it at that.

Marvin Aguilar and to add to that the Dededo site which is in Macheche did receive a conditional use permit back in 2002, and that has operated with full amenities or full structures to accommodate the church. Church parking lot and various amenities and supported by the community. Unfortunately, the conditional use permit had a sunset clause in it and it lapsed. The operators of the church did not know that it had lapsed and continued to operate up to 2010 or 2011.

Lance Kawahara it's been a year and a half ago.

Marvin Aguilar I'm really butchering the timeline here, but since then they've closed the facility and had approached the Department Land Management to see what we can do to try to resurrect the conditional use permit or have them re-apply for a conditional use permit to continue their operations.

Likewise they have a piece of property in Agat that was under the Angelic Church or ----

Lance Kawahara 1974 constructed.

Marvin Aguilar continued to operate to about the sametime. That property did not secure a conditional use permit or any type of administrative approval and continued to do so for the past thirty to forty years. And with that we are requiring them to submit a full-blown conditional use permit application and run that through the appropriate process. From this public hearing he and the Department of Land Management was directed to work together to see if they can try to accommodate them. And ergo we are proposing a possible resolution, proposed draft resolution for adoption through the Guam Land Use Commission particularly for the Dededo site, and with the Agat site we'll go and do a complete conditional use permit.

Commissioner Cruz where is this property in Agat?

Vice Chair Arroyo I'm sorry Mr. Kawahara can you introduce yourself please for the record and which churches we are talking about and your affiliation to the church.

Chairman Rivera kinda just brief us, just real brief.

Lance Kawahara in Dededo it's St. Michael's Church right off Macheche, and the one in Agat is the St. Andrew's right across from the Agat Marina in Agat.

Vice Chair Arroyo and your affiliation with the church is?

Lance Kawahara I'm their real estate advisor and a church member as well.

Vice Chair Arroyo did you have something you wanted to talk to us about?

Lance Kawahara I've gone through the process and had some roadblocks, etc. I would like to kind of step back and start working with the Land Use again and try to get this problem solved for the church. The church personnel they've been running around in circles trying to get this out, but they're not so expertise in doing this and so they've asked me to go ahead and forge ahead and try to get this issue resolved as soon as possible so they can start congregations again.

Vice Chair Arroyo how long have the churches been closed now?

Lance Kawahara almost a year and a half to two years. What happened was that when I was assisting them with selling some of their properties and leasing some of their properties, I went through their portfolios and that's when I had a rude awakening when I saw that the conditional use permit had terminated in 2007 and it was not operating as a church. So, I went ahead and spoke to the Pastor and the Bishop and I said you cannot operate as a church because right now you are operating illegally. And so they went ahead and decided to close the congregation down in Agat and the St. Michael's in Dededo.

Commissioner Cruz does the church own the properties?

Lance Kawahara yes sir.

Vice Chair Arroyo which one was the one that was built ... did you say it was in the sixties or the seventies that didn't have any conditional use permit?

Marvin Aguilar it was the Agat property. From my research it was a converted home.

Vice Chair Arroyo so it's converted to a home and then started operating as a church?

Marvin Aguilar I suspect it was the former Lutheran Church if I'm not mistaken. This is right across from the Agat Marina.

Commissioner Limtiaco I think you're right.

Marvin Aguilar it was a home and then converted and I guess it was sold to St. Michael's. We're moving forward and with the Commission's concurrence maybe, at least for the Dededo property for a resolution. They've met all the reviewing requirements from the different agencies and the MPC from Dededo and we do have a copy of that. And so, that makes me kind of want to lean towards pressing on with the resolution. For Agat property we couldn't find any information as to whether it was sanctioned by the government at anytime since its conversion.

Commissioner Limtiaco can you summarize for us the (inaudible due to excess noise) of what zones churches can legally operate in.

Marvin Aguilar they can basically operate in any zone. For R1 and agricultural you need a conditional use permit including a commercial zone.

Commissioner Bathan do we have to have a period on conditional use permit? Meaning you don't have to have an expiration date?

Marvin Aguilar not necessarily; and I think that's what happened ... that's exactly what happened in this case, they put a sunset clause.

Chairman Rivera Commissioner Limtiaco kinda ... you can discuss what zone would a church qualify in; it could be an R1, it could be (inaudible due to excessive noise) as long as it's a conditional use as a church. But, wouldn't it require parking requirements

Marvin Aguilar both properties did that. They followed all the requirements, and if you were to go there you would see that they have parking and more so the Dededo site.

Commissioner Limtiaco I always thought we had a zoning designation for churches.

[Lengthy discussion continues amongst the Commissioners on where churches can operate in the various zones, expiration dates for conditional use permits, business license requirement.]

Chairman Rivera sir, the Commission is trying to understand and discuss what action the Commission will take. And the first thing is there a zone for a church and Marvin said no. It could be an R1there's a Baptist Church right next to my mom's house, it's in an R1 and it's a church/school. The question I ask is the parking requirements still the same. There's no parking, zero, it's just a single dwelling home. That's why I'm asking that there should be some sort of a condition that you shall have at least a handicap parking in the church, and that's where the conditional use permit comes in. I mean, it's something that is new to us. But, we are here to assist you; you were directed by the Legislature to work with the Director and us and so we're here to assist you. And I know you're Dededo property came up to us before and I think the Mayor had a resolution supporting your church.

Commissioner Limtiaco so Mr. Chief Planner, what do you need from us?

Marvin Aguilar just bringing you into the information fold.

Michael Boria is there any way we can get the process going for the Agat one so that it could be on the agenda within the next month or so? Or is that too quick?

Penmer Gulac they just need to submit an application; same as Dededo it's been expired already.

Marvin Aguilar we found a lot of information for the Dededo site for its existence, Agat faces more challenges and we are more than willing to assist.

Commissioner Limtiaco how many other churches are in this situation?

Commissioner Cruz there's one they're going to build in Ipan, but they're going through the whole process.

Marvin Aguilar and then there are those activities where you have to question if it can be an institution if not a church.

Michael Boria but as I mentioned, we will get going on it. The Planning staff down here can help you to get going on the project and we can try to expedite this as quickly as possible. Does it need to come before the Commissioners for final approval or is it something that can be done like a summary zone change. **[Chief Planner Aguilar responded "no."]**

Chairman Rivera we're here to help you ... thank you.

Lance Kawahara like they say in Hawaii, "Mahalo."

Commissioner Limtiaco the smaller churches that are around right. I know that there's one like in the commercial buildings on the 2nd floor. So, how do we...what do we.... Is that just considered (inaudible due to excess noise) no conditional use because it's an existing commercial ... you know what I mean and it depends on how many more churches are in this situation.

Marvin Aguilar we normally catch them at the business license phase.

[Discussion amongst the Commissioners on existing churches located in commercial buildings.]

Penmer Gulac some of these churches or these new churches that are coming up comes in for office only. Then later on they become Assembly of ... and we tell them they have to look for another location or apply for conditional use.

Marvin Aguilar it's really the operation of what they are; Bā6 which is on East Agana.

Celine Cruz that's Oasis Empowerment....Bā6 is a store. Oasis is a church.

Marvin Aguilar they originally started before Happy Mart became Happy Mart (the old Cool Spot) and they were there and they were told they need a conditional use and they kind of disappeared and now they're an empowerment group and not necessarily a church.

Chairman Rivera if a church application comes in treat it like any other application. Make sure that the handicap parkings (sic) are there ... you know for the safety. We're here to assist, but make sure it's proper. Like I mentioned, that church next to my mom's house, my *God* it's a full pledged high school now. It's never changed. There's no playground, there's no parking.

Let's move forward. We're going to discuss this Marv, this Chamorro Land Trust

Marvin Aguilar everybody got a copy the approved

Chairman Rivera we have in front of us the Chamorro Land Trust Resolution 2014-001; basically a resolution to engage and creating various residential and agricultural subdivision master plan through the assistance of the Department of Land Management. **[For full content/context of Resolution 2014-001, please refer to Exhibit 1.]**

Michael Borja let me speak on that real quick. In my other hat as the Administrative Director of the Chamorro Land Trust Commission, we were ... they did make a motion within that Commission and agreed and they did a resolution to move forward with the subdivisions, trying to create subdivisions. Now, in this whole process in doing land evaluation with Revenue and Taxation, Land Management was deeply involved as well as the CLTC. Of course, most of the government properties are CLTC, and many of them had not ever been parceled out or divided up or anything like that. And in the whole evaluation process many of the Chamorro Land Trust properties were mapped out, and so now we have lots all over the place. They've just been all drawn out on paper and they haven't been surveyed out, but we have them identified now. We actually have quite a few subdivision (if you want) around the island that hasn't gone through this formalized process. What we would like to be able to do is to begin establishing subdivisions throughout the island with Chamorro Land Trust properties, and it would be then with the efforts of the staff here in Land Management; the Chief Surveyor and the Chief Planner. And what the whole idea is as well is to make sure it all complies with the subdivision rules; you have the recreational areas and etc. One of the Commissioners for the Land Trust is a former Land Use Commissioner, Pascual Sablan and he was quite excited about the whole prospect and the other Commissioner who used to be a Planner with Land Management, Joe Cruz is equally excited about the aspect of Chamorro Land Trust doing subdivisions. So, we're letting you know that and through this resolution to get your concurrence as well for us to proceed formally in establishing these subdivisions throughout the Chamorro Land Trust properties. Like I said many of them already have gone through the whole process just in the last several months as part of the whole tax evaluation process that's already come out. The reason it's been delayed in fact is because of the Chamorro Trust properties that weren't included in the original evaluation because they hadn't been drawn out and that was the problem. We had lots of buildings whether approved or not approved sitting all over the island, and so we had to go

out and physically identify them, locate points with GPS and to determine too what kind of structures they were. If they consist of tin and canopy type of structure then there's no value to them, but if somebody planted a concrete building there then those would be taxed and we need to know who to tax. The land might not be taxed because it's not even leased but the person in that house is going to be taxed. That's where we're at in this whole process here. That's what the intent of this resolution is is for us to proceed in Land Management with the staff here to create these subdivisions within the Chamorro Land Trust.

Chairman Rivera and with the Land Use Commission concur we would need to create a resolution also.

Michael Borja to do a resolution so you're giving us the approval to proceed with this.

Chairman Rivera we support the master plan; and as a matter of fact when Marvin briefed us...you know, I mean, it's something good that's going to happen here.

Michael Borja I came into the Chamorro Land Trust as a Commissioner just months before I became a part of Land Management. But in the short time I've been a Director here what I've seen is that the merge has been very beneficial towards the Chamorro Land Trust because the expertise that Land Management has whether it is surveyors, land administrators or planners can definitely be put into effect. For example, contracts, leases, Chamorro Land Trust leases and this was the problem; one thousand out of three thousand leases identified the property as a portion of a lot and you can't do anything with that. You can't physically identify the space where it's at, and the lessee was equally confused and he goes out and looks at this empty piece of property and goes, well, which part. And that's what we ended up having to do and in the process we corrected these 1000 leases by just default of having to do all this. But what it now allows the Chamorro Land Trust to do once these little subdivision areas are created we can now move forward to try and develop these things and with a plan.

[Lengthy discussion continues on the process of creating Chamorro Land Trust subdivisions around the island.]

Commissioner Lintiaco so this resolution, I know is just a resolution, but it's not going to back the CLTC into a corner where funding is an issue where they can't approve something because now this is too much money to put the infrastructure in.

Michael Borja no, we're not even bound to doing the infrastructure. What we're is creating the subdivisions so that we can begin to proceed forward when we are ready to start development. One of the issues we right now, there's been a Moratorium with the CLTC on doing any commercial activity because there wasn't any rules and regulations in place. The rules and regulations had just been approved earlier this month after a public hearing in November, the Commissioners approved the final product and is with the Attorney General's for review and the package is going to be on its way to the Legislature as soon as we get that; hopefully, it's

without issues, it's a full concurrence. And the Legislature, Senator Tom Ada who is the new Chairman for the Land Committee has been given a copy as well so that they can begin reviewing. I haven't had any feedback from them as of last week, and so as soon as this thing is approved we're going to be moving. We're going to begin creating RFPs in the interim and part of it is to look at both large scale developments of subdivisions. We want to at least let everyone to have a piece of the pie and it will be all part of the bidding process.

Commissioner Cruz so in otherwords, once the houses is completed then whoever buys the house ends up having a lease with Chamorro Land Trust.

Michael Borja they have to be one of our eligible applicants that's qualified for Chamorro Land Trust, and then they have to qualify with a bank for a loan.

Vice Chair Arroyo you're talking specifically about the property up in Yigo.

Michael Borja that's one area sitting ready to go. We were originally thinking of putting in the infrastructure ourselves and then let somebody come out and build whatever they want.

Vice Chair Arroyo that's restricted to residential use. **[Mr. Aguilar responds that the property is zoned R1.]** In some of the other properties that the Chamorro Land Trust owns, I mean some of it is agricultural, and if you put subdivisions there will you restrict land use to certain.....

Michael Borja we'll have agricultural in certain areas, but in some places what we're doing for home subdivisions is try to build homes in certain places around the island where we can.

Commissioner Cruz you do also have lots that are agriculture but are set by half-acre lots.

Michael Borja half-acre to 20 acres.

Commissioner Cruz I guess where I'm trying to follow down is what John is trying to say is that if you get this where you're going to have this half-acre lot because you can't put sewer in right. That then will fall into the agriculture lot whereby the individual can build a house at the same time.

Michael Borja agriculture you're allowed to build one living structure on a lot.

Commissioner Cruz I guess what we were discussing was that let's say you have a subdivision by half-acre lots right and it's for agriculture. What we're trying to say is that one guy does it do you restrict the agriculture use meaning you're going to have this one guy here planting a little, build a house and the next one is a bakery?

Michael Borja we haven't gotten to that part yet. We ask for farm plans and the Commissioners approve those kinds of leases according to their farm plan.

[Lengthy discussion continues on agricultural lots. Mr. Borja adds that part of the whole process as well is that what they are looking to do is to establish covenants for the different lots, development.]

Commissioner Limtiaco Marvin, I have a question about number 2 though (Page 3). In number 2 (inaudible due to excessive noise) delegate the function of the review inspection from the maps to CLTC and then we direct of course everything else. What about the final approval of the maps? Is it still Larry or John that will sign it or is that task also delegated to CLTC?

Marvin Aguilar it's intended to be an internal process so that they can work forward without having to go through additional administrative processes. And I think what's important here ... what we're trying to drive at is the Commission having this little of comfort in recognizing its authority to do, for the lack of a better term, hybrid approach to land subdivision. And in this case, we're not looking at private lands, we're looking at public lands that are set up for specific group of folks here. And so, it still remains within the Government of Guam.

Commissioner Limtiaco when we discussed Paradise Meadows and the SongSong Village and we had CLTC come (actually it was Dave and Monte) and they were talking about the Chamorro Land Trust area across from G.A.I.N. There was a lot of synergy between the two Commissions even though CLTC was not actually present here, and that synergy was between the GLUC looking at, at essentially one area with two independent applications, for subdivisions right, and then also with that knowledge that CLTC was also looking for something. So in our conditions and through separate memorandum and meetings between the CLTC and the two applicants we were able to get everybody to yes. And so we kind of helped solve this issue for the CLTC for the cost of infrastructure by putting as a term of condition with these two separate applicants. So, I bring that up because one of my concerns is that if (inaudible due to excessive noise) out of sight, it's out of mind. And if we don't ... there isn't another avenue for this Commission to understand what the other Commission is doing with land we might miss those future opportunities to have that synergy again. We're really helping an area develop rather than being so piecemeal. I agree with this, I think this is great. At one point I'm sure spot zoning sounded like a good idea too, but now it's not.

Chairman Rivera I think what Marv gave us is just kind of a draft. I think our next step now for actual do we concur with the Chamorro Land Trust Commission's resolution, and the Department of Land Management Planning staff is to be utilized, and I think the Land Use needs to instruct the Chief Planner to draft a resolution for our review and approval based on the master plan. Is that right Marv? We need to do that before we can act on this.

Marvin Aguilar Commissioner Limtiaco is contributing to ... we'll take it back to the drawing board.

Commissioner Limtiaco just what type of collaboration can the two Commissions have that we don't miss that opportunity; don't change it.

Commissioner Cruz what transpired at the Yigo property that we ended up having to provide the zoning in order for them to subdivide it per Mr. Borja says (sic). To make it work we have to bring in the infrastructure because we've cut the size of property to 800 square meters.

Michael Borja we have not fully done that yet it's still set up at half-acres or quarter-acres the way that the subdivision in Yigo is designed.

Marvin Aguilar the map design right now is half-acre, but because it was brought up to R1-zone we had the opportunity to cut it down even more.

Commissioner Cruz the infrastructure has to come in before the property can be distributed.

Michael Borja right, but what we're looking to do instead of just building raw infrastructure because what we found is that Chamorro Land Trust can ... if we are able to find the money to build something like that at \$25K a shot it's a lot of money. But, the rules are for this low interest loan is that whoever owns the utility owns the loan. Well, I'm not in the business of doing sewer and power and so once we're done installing the infrastructure we obviously give it over to the proper utilities. They have covenants and say they're not allowed to accept any kind of infrastructure with encumbrances because of the existing bonds that they have. It has to go to them free and clear. The only way it can go to them free and clear is if you go to subdivision commercially for example the cost of the infrastructure is built into the cost of the home. So that by selling those homes you've basically are paying for your infrastructure. And that's how the cost of the infrastructure is paid, and so when the developer has completed, he hands the infrastructure to the proper utilities without any strings attached. Going this route through the SUTA program alone is probably not going to work because we might be able to put in infrastructure, but we can't own the infrastructure and the utilities can't take it if it has a loan attached to it. That's the reason why we're looking into doing infrastructure development along side with a subdivision development. We are ways away from getting that. You have all kinds of things in large lots, and what we're trying to do is just make it a good peaceful community and we don't have chicken farms and cockfighting roosters being harvested in the backyard.

Marvin Aguilar if I may add to the one point they're making about the different uses that may not be desirable. That is a challenge that you have right now with agriculture subdivisions throughout the island. We receive periodic complaints that folks are raising chickens and we just say, well it is an agricultural subdivision. I think in terms of how the law was written when they said agricultural subdivision they took a definition that's really better applied in the Stateside with these large tracts of properties.

Chairman Rivera okay, we're going to move forward. Commissioners, if you concur with the resolution from the Chamorro Land Trust; I would like to instruct the Chief Planner to draft a resolution for us relative to this and then we'll finalize it

Marvin Aguilar and if I may, I would like to invite each Commission member to read it again and if you want to add more stuff to it. Also, please use this opportunity to review and see if there are any flaws in our interpretation of what the Commission's authority is in this respect.

Chairman Rivera if there is nothing further, let's move on to the next item on the agenda. Can I get a motion.

VI. Adjournment

Commissioner Cruz I move to adjourn, seconded by **Commissioner Bathan**; with all in favor.

The regular meeting of the Guam Land Use Commission for Thursday, January 22, 2015 was adjourned 3:40 p.m.

Approved by:

Transcribed by:



Lawrence S. Rivera, Chairman
Guam Land Use Commission



M. Cristina Gutierrez, Pro Tem
DLM Planning Division

Date approved: February 12, 2015



GUAM LAND USE COMMISSION

Chairman Lawrence S. Rivera
Vice Chairman John Z. Arroyo
Commissioner Conchita D. Bathan
Commissioner Tricee P. Limtiaco

Commissioner Victor F. Cruz
Commissioner Andrew C. Park
Commissioner (Vacant)

Michael J.B. Borja, Executive Secretary
Kristan Finney, Assistant Attorney General

AGENDA

Regular Meeting

Thursday, January 22, 2015 1:30 p.m.

Department of Land Management Conference Room
590 S. Marine Corps Drive, 3rd Floor, ITC Building, Tamuning

I. Notation of Attendance [] Quorum [] No Quorum

II. Approval of Minutes

- GLUC Regular Meeting of Thursday, December 11, 2014

III. Old or Unfinished Business

IV. New Business

Zone Change

- A. The Applicants, Su Qun Wang and Kui Fang Wang, represented by FC Benavente, Planners; request for a zone change from "R1" (Single Family Dwelling) to "C" (Commercial) for the proposed construction and operation of a grocery store and office/commercial building on Lot 2320-NEW-2, in the Municipality of Mangilao, under Application No. 2014-10.
Case Planner: Celine Cruz

V. Administrative and Miscellaneous Matters

Agricultural Subdivision Map

- B. The Applicants, Peter R. and Ellen J. Wilkinson represented by Virgilio Olivares (PLS #77); pursuant to P.L. 28-128, Section 1(a), requests approval of its Agricultural Subdivision Map DLM Map 084FY2013, Lot No. 11-5NEW-R4, Tract 1044, in the Municipality of Dededo, under Application No. 2015-09.
Case Planner: Marvin Aguilar

VI. Adjournment

ATTACHMENT A



DIPATTAMENTON MINANEHAN TANO'
(Department of Land Management)
GUBETNAMENTON GUAHAN
(Government of Guam)



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EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

MICHAEL J.B. BORJA
Director

DAVID V. CAMACHO
Deputy Director

January 8, 2015

MEMORANDUM

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671-649-5383

TO: Chairman, Guam Land Use Commission

FROM: Guam Chief Planner

SUBJECT: Staff Report -Application No. 2014-10, Zone Change from "R-1" (Single Family Dwelling) to "C" (Commercial) Zone on Lot 2320NEW-2 in the Municipality of Mangilao

1. **PURPOSE:**

A. Application Summary: The Applicants, Wang Si Qun & Kui Fang Wang, represented by FC Benavente, Planners, request for a zone change from "R-1" (Single Family Dwelling) Zone to "C" (Commercial) Zone, for a proposed office and retail and convenience store on Lot 2320NEW-2, in the Municipality of Mangilao, under Application No. 2014-10.

B. Legal Authority: Sections 61630 to 61638 of Chapter 61 (Zoning Law), Title 21, GCA (Real Property).

2. **FACTS:**

- A. Location:** The project site is a corner lot located along Route 10 and Martha Lane in Mangilao. (**Attachment 1**)
- B. Lot Area:** The 0.95 Acres or 3,868 Square Meters or 41641 Square Feet.
- C. Present Zoning:** "R-1" (Single Family Dwelling) Zone.
- D. Field Description:** Existing site conditions on this lot is a single family dwelling.
- E. Master plan:** Residential – Medium High
- F. Community Design Plan:** Urban Residential – Low Density

G. Previous Commission Action: None

3. APPLICATION CHRONOLOGICAL FACTS:

a. Date Application Accepted: February 5, 2014

b. Date Heard By ARC: February 20, 2014

c. Public Hearing Results: A public hearing was held on November 12, 2014 at 6:06 PM at the Mangilao Community Center. Present were planning staff, the applicant's representative Mr. Felix Benavente, and one concerned citizen, Mr. Francisco Baza.

Mr. Benavente explained briefly the location of the project and the proposed activity should the zone change be approved. Mr. Baza indicated that he was in attendance to express concerns that the area he is in has low water pressure and often floods when there is a lot of rain. He is not opposed to the zone change but would not want to see the low water pressure and flooding issues to become worse because of this development. There were no other questions or concerns and the hearing was closed at 6:21 p.m.

On November 18, 2014, we received a letter from Cecilia C. Guerrero advising that she is unable to attend the meeting due to the distance (Attachment 2).

4. STAFF ANALYSIS: As proposed by this application, the request is to change the existing "R-1" (Single Family Dwelling) zone to "C" (Commercial) zone for a proposed retail and convenience market.

Compatibility with existing uses. The applicant submits that the property is located along a fully improved major highway (Route 10). Located directly across the property, and along Route 10 is an active commercial establishment (Pacific Tyre). This proposed "C" zone change has of 300 feet of Route 10 highway frontage, and is an appropriate zone for the property. The southern perimeter of the property is adjacent to existing "C" zone. The proposed used, for a Retail Convenience store will provide immediate convenience to the neighborhood and its vicinity. The Office commercial activities can provide services or products to consumers in the vicinity, as well as commuters traveling along this busy highway. Because of the above, the applicant submits that this zone change from "R-1" to "C" is very compatible with adjacent and neighborhood developments as they exist.

Continuation of Memorandum

RE: Staff Report - Application No. 2014-10 (Zone Change) – Lot 2320NEW-2,
Municipality of Mangilao

Date of GLUC Hearing: January 22, 2015

Date of Preparation of Staff Report: January 8, 2015

Page 3 of 4

Title 21 GCA, Chapter 61, Section 61630 cites the Commission may, with the approval of the Governor, change the zones established under this chapter whenever it finds that the **public necessity, convenience and general welfare** justifies this action. To assist the Commission on its assessment of the request, the applicants provide their perspective on how such criteria is met and planning staff concludes their finding on such response.

Public Necessity and Convenience: The applicant submits there is demonstrated necessity in responding to the latent demand for a Retail Convenience store on the west side of Route 10, in this area of Mangilao. Facilities such as these are necessary and will serve to benefit the neighborhood, vicinity, and the entire Guam community generally residing, including those who are frequent travelers, along this portion of the Route 10 highway corridor.

The applicant feels that the **public convenience** is enhanced by locating such facilities in closer proximity to this area along Route 10, where a sizeable population of neighborhood residents is presently located. Un-needed travel far away for retail items and services will be reduced if not eliminated significantly, thus saving on energy, fuel costs, and minimizing resident inconvenience and stress. As well, southbound commuters will need not cross over onto oncoming traffic to avail themselves of convenient retail store services with these facilities being located along the right side of Route 10.

General Welfare: The **general welfare** is elevated because there will be new community responsive facilities to provide much needed neighborhood and similar commercial services. Furthermore, the applicant submits that there are increased employment opportunities; as well as tax generating revenue economic activities which all contribute to the general welfare of the community.

5. **CONCLUSION**

In areas which have the potential to become densely populated, we must anticipate related uses/activities to support such growth. Retail stores and convenience markets have become integral components of growing communities. By granting the zone change, it will not be materially detrimental to the public welfare, in fact, it will improve public welfare by affording a convenience retail outlet and other neighborhood services for the public and most especially the residents of Mangilao.

Continuation of Memorandum

RE: Staff Report - Application No. 2014-10 (Zone Change) – Lot 2320NEW-2,
Municipality of Mangilao

Date of GLUC Hearing: January 22, 2015

Date of Preparation of Staff Report: January 8, 2015

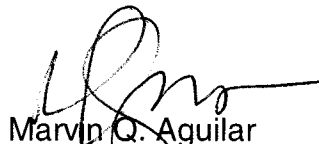
Page 4 of 4

We have reviewed the Master Plan and the Community Design Plan for the area which is designated as Residential. An urban-residential design considers the growth of the community to become densely populated and anticipates related uses/activities to conveniently support growth. The historical development of the area is for single family residences and multi-family dwellings. The immediate area also consists of educational institutions, namely the Guam Community College, the University of Guam and George Washington High School. Related uses/activities are convenience stores such as the proposed store to support growth of the community and in this respect; we feel such use will not be contrary to the Plans' objectives. In addition, future land use plans such as the North and Central Guam Land Use Plan designate this area as a Village Center. The Village Center category is intended to provide flexibility for compatible mix of residential, commercial, public facility, medical and other service uses, and open space uses at a scale and pattern consistent with traditional Chamorro villages and neighborhoods.

Based on the above preceding discussions, we find the criteria for the grant of zone change is justified. ARC agencies who officially responded have "no objections" as reflected in their position statements. We further find that the application is complete and contains all requested information/data; and therefore, meets the requirements of the zone change criteria as cited in the Zoning Law. We find it proper that it be considered favorably by the Guam Land Use Commission.

6. **RECOMMENDATION:** Recommend **APPROVAL WITH CONDITIONS** as follows:

That the applicant adheres to ARC conditions as stated in their official position statements.



Marvin Q. Aguilar
Guam Chief Planner

ATTACHMENTS:

1. Location Map
2. Letter from Cecilia Guerrero

Case Planner: Celine Cruz

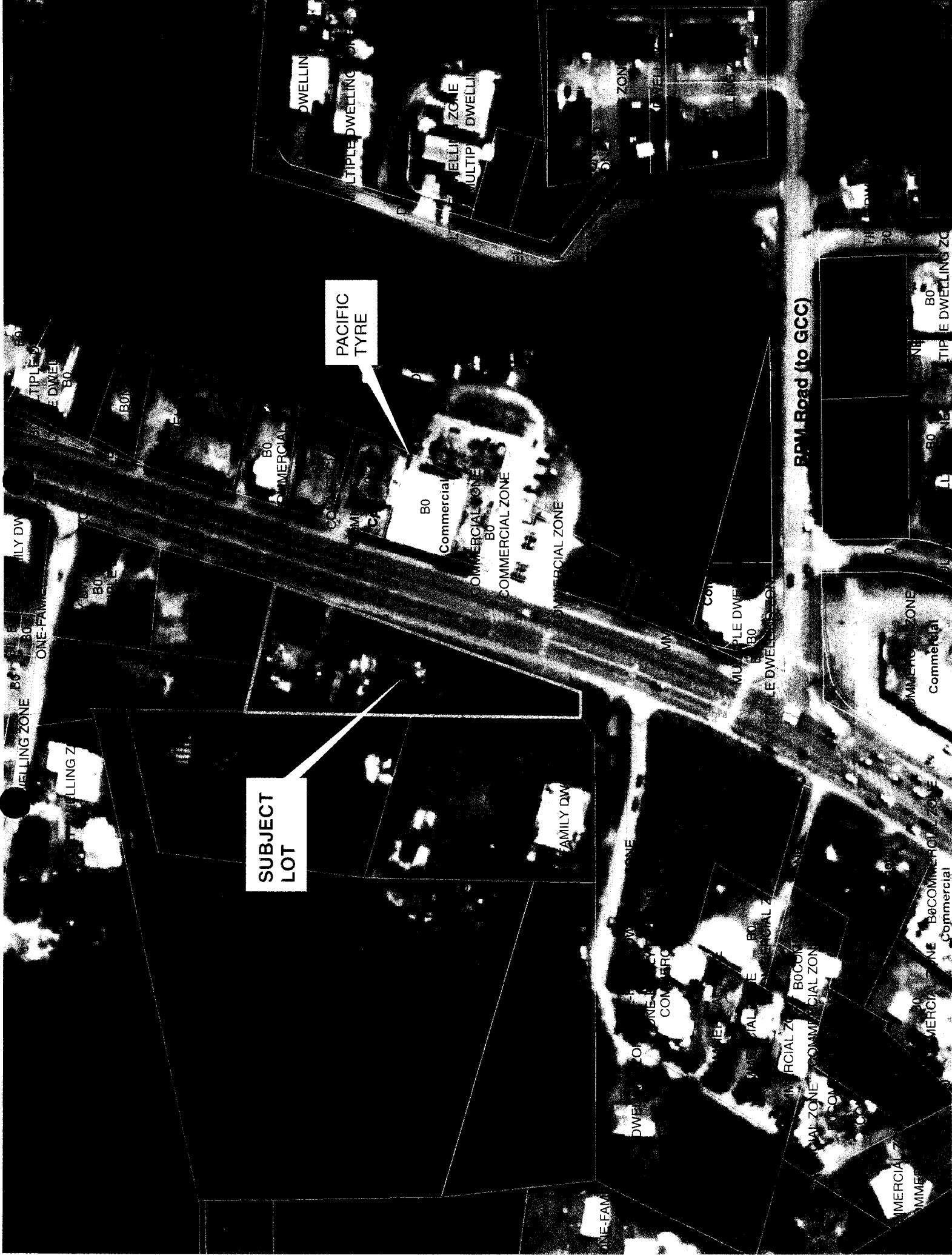
NOTICE TO REZONE

APPLICATION HAS BEEN FILED WITH THE GUAM LAND USE
COMMISSION (GLUC) FOR A ZONE CHANGE: From "R-1" To "C"

APPLICANT:
REPRESENTATIVE:
DEED DESCRIPTION:
SECTION, TRACT:

Zone Change From Single Family "R-1" Zone To Commercial "C" Zone
S. & K. Wang / FC Benavente, Planners
Zone Change From Single Family "R-1" Zone To Commercial "C" Zone
LOT 2320 New-2 MUNICIPALITY: Mangilao

Date: Nov 14, 2014 Time: 6:00 PM Place: Mangilao Community Center
Date: Jan 22, 2015 Time: 1:30 PM Place: DLM Conf Rm, 3rd Flr, ITC Bldg, Tamuning



SUBJECT
LOT

PACIFIC
TYPE

BPM Road (to GCC)

RECEIVED

NOV 18 2014
Department of Land Management
Time: 9:10 In: [Signature]

11/08/14

To whom it may concern:

Subj: An application has been filled with Guam Land Use Commission (Gluc) by the Applicants, Wang Si, and Kui Wang.

Meeting Date: November 12, 2014.

Sorry, I am unable to attend, due to the distance.

Sincerely,

Cecilia C. Guerrero

Cecilia C. Guerrero

*Comm
12-22-14*



DIPATTAMENTON MINANEHAN TĀNO'
(Department of Land Management)
GUBETNAMENTON GUĀHAN
(Government of Guam)



Street Address:
590 S. Marine Corps Drive
Suite 733 ITC Building
Tamuning, GU 96913

EDDIE BAZA CALVO
Governor

MICHAEL J.B. BORJA
Director

RAY TENORIO
Lieutenant Governor

DAVID V. CAMACHO
Deputy Director

January 13, 2015

MEMORANDUM

Mailing Address:
P.O. Box 2950
Hagåtña, GU 96932

TO: Guam Land Use Commission (GLUC) Members
FROM: Chairman, Application Review Committee (ARC)
SUBJECT: Summary of Position Statements by ARC Members
RE: Zone Change Application No. 2014-10

Website:
<http://dlm.guam.gov>

Listed below are the **APPLICATION REVIEW COMMITTEE POSITION STATEMENTS** as submitted:

PERMANENT VOTING MEMBERS

1. **DEPARTMENT OF LAND MANAGEMENT:** Recommend **APPROVAL WITH CONDITIONS** as follows:

That the Applicants adhere to all ARC recommendations as provided in their respective position statements.

2. **GUAM ENVIRONMENTAL PROTECTION AGENCY:**
No Position Statement has been received as of the date of this Memorandum of January 13, 2015.

3. **DEPARTMENT OF AGRICULTURE:**
No Position Statement has been received as of the date of this Memorandum of January 13, 2015.

4. **GUAM WATER WORKS AUTHORITY:**
No Position Statement has been received as of the date of this Memorandum of January 13, 2015

5. **GUAM POWER AUTHORITY:**
A. Comments and Recommendations Concerning GPA requirements:
1. GPA has no objection, however customer is required to comply with the following pursuant to the National Electric Code, National Electric Safety Code and GPA's Service Rules and Regulations:
• Coordinate overhead/underground power requirements with GPA Engineering for new structure.

E-mail Address:
dlmdir@land.guam.gov

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

Continuation of Memorandum

Re: Summary of Position Statement - Application No. 2014-10

GLUC Hearing of January 22, 2015

Date of Preparation of this Memorandum: January 13, 2015

Page 2 of 4

- Maintain minimum clearances as defined by the current edition of the National Electrical Safety Code and National Electrical Code.
 - Maintain adequate clearance between any structures and electrical utility easements in accordance with NESC and GPA requirements.
 - Developer/Owner shall provide necessary electrical utility easements to GPA prior to final connection.
 - Provide scheduling and magnitude of project power demand requirements for new loads.
 - All relocation costs for GPA's facilities, if necessary, is 100% chargeable to the applicant including but not limited to labor and materials.
2. Primary distribution overhead and underground line extensions and GPA service connections must adhere to the guidelines outlined in the current issue of GPA's Service Rules and Regulations.
 3. A system impact assessment may be required to determine the effect of this facility on GPA's existing power facilities.
 4. All costs associated with the modification of GPA facilities shall be chargeable to the customer. This includes relocation costs, new installation costs and any required system upgrades.

B. General Comments

GPA has no objection to the request subject to the conditions cited above.

6. DEPARTMENT OF PARKS AND RECREATION:

We reviewed the subject application and have determined no historic properties will be affected by the zone change, within the subject lot. Therefore, we have no objection to the approval of this Zone Change Application.

7. DEPARTMENT OF PUBLIC WORKS:

The Department of Public Works, (DPW) has completed its review of the subject application and has no objection to the requests provided the following conditions be in place:

- Drainage water disposal must be shown in details in the final drawings and to be supported with calculations;
- Parking layout and parking stall (compact, standard and accessible stalls) must meet the American Disability Act (ADA) requirements;
- Adequate egress/ingress must be coordinated with the Division of Highways, Rights of Way Section; and
- If the owner chooses to use GSWA disposal or any private services, the location of the trash bin container should be situated in an area that will not hinder the public rights of way.

DPW recommends approval, subject to the comments reviewed by the Application Review Committee (ARC) with conditions that the complete set of design drawings must meet all the requirements in conformance of the latest building code applicable to all the engineering disciplines and issuance of building permit.

8. BUREAU OF STATISTICS AND PLANS:

The Bureau has completed its review of the subject application and has the following comments:

Continuation of Memorandum

Re: Summary of Position Statement - Application No. 2014-10

GLUC Hearing of January 22, 2015

Date of Preparation of this Memorandum: January 13, 2015

Page 3 of 4

1. The proposal would provide the surrounding community with convenient access to commercial, business and/or professional activities. Although there are retail convenient stores nearby, they are located on the opposite side of Route No. 10. Patron would have to cross the often busy highway to get to them. The proposed commercial-type activities will also assist in providing opportunity for employment for residents in the area.
2. The subject area is in the boundary of the Ground Water Protection Zone for the protection of our northern water lens, therefore, the Bureau is concerned that the proposed activities may have a negative impact to water quality. Groundwater is an essential resource for Guam. It is the source for approximately 80% of Guam's drinking water and also contributes to agricultural irrigation. Because of the paramount importance of Guam's water lens, which is designated as the sole source aquifer for our drinking water by U.S. Federal recognition, threats to our well water sources must be prevented. The primary goal for protecting groundwater is to safeguard human health and the environment by maintaining the existing high quality of Guam's groundwater. Therefore, best management practices are important in the development of this project should the zone change be approved.
3. The Bureau finds the proposed zone change to be compatible with **Village Center** designation for the area in the North and Central Guam Land Use Plan. The Village Center category is intended to provide flexibility for a compatible mix of residential, commercial, public facility, medical and other service uses at a scale and pattern that is consistent with traditional Chamorro villages and neighborhoods. Although the areas designated as Village Centers may be quite large, they should be developed as a series of individual neighborhoods (0.25- mile radius).

The Bureau find the proposed zone change request to adequately justify public necessity, public convenience and general welfare. Therefore the Bureau recommends approval.

EX-OFFICIO MEMBERS

1. **DEPARTMENT OF PUBLIC HEALTH and SOCIAL SERVICES:**

No Position Statement has been received as of the date of this Memorandum of January 13, 2015.

2. **GUAM FIRE DEPARTMENT:**

No Position Statement has been received as of the date of this Memorandum of January 13, 2015.

3. **GUAM ECONOMIC DEVELOPMENT AUTHORITY:**

No Position Statement has been received as of the date of this Memorandum of January 13, 2015.

Continuation of Memorandum

Re: Summary of Position Statement - Application No. 2014-10

GLUC Hearing of January 22, 2015

Date of Preparation of this Memorandum: January 13, 2015

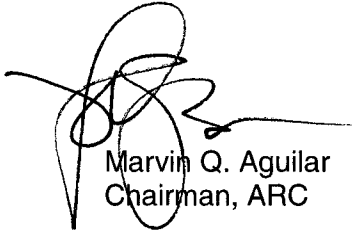
Page 4 of 4

4. GUAM PUBLIC SCHOOL SYSTEM:

No Position Statement has been received as of the date of this Memorandum of January 13, 2015.

5. DEPARTMENT OF CHAMORRO AFFAIRS:

No Position Statement has been received as of the date of this Memorandum of January 13, 2015.



Marvin Q. Aguilar
Chairman, ARC

Case Planner: Celine Cruz

Eddie Baza Calvo
Governor of Guam

 **BUREAU OF
STATISTICS & PLANS**
SAGAN PLANU SIHA YAN EMFOTMASION



Ray Tenorio
Lieutenant Governor

Government of Guam
P.O. Box 2950 Hagåtña, Guam 96932
Tel: (671) 472-4201/3
Fax: (671) 477-1812

Lorilee T. Crisostomo
Director

MAR 19 2014

MEMORANDUM

To: Chairperson, Guam Land Use Commission

Via: Executive Secretary, Department of Land Management

From: Director, Bureau of Statistics and Plans

Subject: POSITION STATEMENT ON **APPLICATION NO. 2014-10**; LOT NO. 2320 NEW-2; MANGILAO; WANG SI QUN AND KUI FANG WANG; ZONE CHANGE; PROPOSED USE: RETAIL CONVENIENCE STORE AND OFFICE/COMMERCIAL BUILDING.

The applicants, being represented by Mr. Felix C. Benavente, are requesting for a Zone Change from "R-1" single-family residential to "C" commercial in order to construct a building to accommodate a retail convenience store and office/commercial space. The subject property is located along Route No. 10 in Mangilao and is directly across Pacific Tyre due west. The subject site has over 300 feet of Route 10 frontage, and has an area of approximately 3,868.48 square meters or .95 acres. The surrounding land uses consist predominantly of scattered single-family residences and commercial/retail establishments due east, south east and south west, and some multi-family dwellings nearby. All of the basic infrastructure such as water, power, sewer, telephone and cable are immediately available for the subject property.

The applicants propose to construct a two-story commercial building for a retail convenience store and for office/commercial activities. The perimeter of the subject property is mostly fenced with the exception of a portion on the southern end.

To justify the zone change, the applicants stated that there is a public necessity and convenience due to its location to single-family developments and because most of the retail stores are situated on the opposite side of Route No. 10. The area will also benefit from the convenience and services of a commercial establishment in an area where certain services are not available. Furthermore, it increases employment opportunities and economic activities that will contribute to the general welfare of the community. The proposed zone change will create a more stable community environment by providing for an orderly development scheme and the full improvements will ensure the general safety and welfare of the adjacent property owners as well.


The Bureau has completed its review of the subject application and has the following comments:

1. The proposal would provide the surrounding community with convenient access to commercial, business and/or professional activities. Although there are retail convenience stores nearby, they are located on the opposite side of Route No. 10. Patrons would have to cross the often busy highway to

get to them. The proposed commercial-type activities will also assist in providing opportunity for employment for residents of the area.

2. The subject area is in the boundary of the Ground Water Protection Zone for the protection of our northern, water lens, therefore the Bureau is concerned that the proposed activities may have a negative impact to water quality. Groundwater is an essential resource for Guam. It is the source for approximately 80% of Guam's drinking water and also contributes to agricultural irrigation. Because of the paramount importance of Guam's water lens, which is designated as the sole source aquifer for our drinking water by U.S. Federal recognition, threats to our well water sources must be prevented. The primary goal for protecting groundwater is to safeguard human health and the environment by maintaining the existing high quality of Guam's groundwater. Therefore, best management practices are important in the development of this project should the zone change request be approved.
3. The Bureau finds the proposed zone change to be compatible with the proposed **Village Center** designation for the area in the North and Central Guam Land Use Plan. The Village Center category is intended to provide flexibility for a compatible mix of residential, commercial, public facility, medical and other service uses, and open space uses at a scale and pattern that is consistent with traditional Chamorro villages and neighborhoods. Although the areas designated as Village Centers may be quite large, they should be developed as a series of individual neighborhoods (0.25-mile radius).

The Bureau finds the proposed zone change request to adequately justify public necessity, public convenience and general welfare. Therefore the Bureau recommends approval.


TERRY L. CUABO
Acting

cc: GEPA
GWA
DPW
DPR
GPA



GUAM POWER AUTHORITY

ATURIDÂT ILEKTRESEDÂT GUAHAN
P.O.BOX 2977 • AGANA, GUAM U.S.A. 96932-2977

March 10, 2014

MEMORANDUM

To: Chairman, Guam Land Use Commission
Executive Secretary, Guam Land Use Commission

From: General Manager

Subject: Lots 2320 NEW-2, Municipality of Mangilao, (Wang Si Qun and Kui Fang Wang); Zone Change Application from "R-1" (Single-Family Dwelling) to "C" (Commercial) to construct a building for grocery store and office space. **Application No. 2014-10**

Guam Power Authority has reviewed the application described above and submits the following position statement:

A. Comments and Recommendations Concerning GPA requirements:

1. GPA has no objection, however customer is required to comply with the following pursuant to the National Electric Code, National Electric Safety Code and GPA's Service Rules and Regulations:
 - Coordinate overhead/underground power requirements with GPA Engineering for new structures.
 - Maintain minimum clearances as defined by the current edition of the National Electrical Safety Code and National Electrical Code.
 - Maintain adequate clearance between any structures and electric utility easements in accordance with NESC and GPA requirements.
 - Developer/Owner shall provide necessary electric utility easements to GPA prior to final connection.
 - Provide scheduling and magnitude of project power demand requirements for new loads.
 - All relocation costs for GPA's facilities, if necessary, is 100% chargeable to the applicant including but not limited to labor and materials.
2. Primary distribution overhead and underground line extensions and GPA service connections must adhere to the guidelines outlined in the current issue of GPA's Service Rules and Regulations.
3. A system impact assessment may be required to determine the effect of this facility on GPA's existing power facilities.
4. All costs associated with the modification of GPA facilities shall be chargeable to the customer. This includes relocation costs, new installation costs and any required system upgrades.

B. General Comments

GPA has no objection to the request subject to the conditions cited above.


JOAQUIN C. FLORES, P.E.

ASG/arp

b

INFRASTRUCTURE CERTIFICATION FORM

Agency Certifying: **Guam Power Authority**

Applicant: Wang Si Qun and Kui Fang Wang

Location: Lots 2320 NEW-2, Mangilao

Type of Application: Zone Change

GLUC/GSPC Application No. 2014-10

Brief Project Description:

"R-1" to "C" to construct a building for grocery store and office space.

For the purposes of this Certification, GOVERNMENT SERVICES, FACILITIES, and INFRASTRUCTURE include, but are not limited to: **power lines poles and facilities; water lines, pumps and facilities; sewer and liquid waste disposal; storm water disposal; solid waste disposal; telephone lines and facilities; schools; health facilities; police and fire fighting service and facilities; roads; traffic and street lights; parks and recreational activities.**

1. I hereby certify that the required GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE are currently **AVAILABLE AND IN PLACE** to support this project:

Yes ☒

No ☐

2. If the answer to #1 above is YES, then:

I hereby certify that the required GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE are currently **ADEQUATE** to support this project:


Yes ☐


No ☒

3. If the required GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE currently in place are **NOT AVAILABLE** or they are **AVAILABLE, BUT NOT ADEQUATE**, itemize the services, facilities and infrastructure that are needed, the estimated cost thereof and whether funds are currently available and identified to develop such services, facilities and infrastructure:

Services, Facilities and Infrastructure Needed	Cost of Upgrades	Funds Available	Date Available	Funds Identified
Please see comments below				

I hereby certify that the foregoing is true and correct to the best of my knowledge.


JOAQUIN C. FLORES, P.E.
General Manager


Date

Comments:

Based on a preliminary inspection of the site, the electrical facilities may require upgrading to meet the demand of the proposed project. A system impact assessment maybe required to determine the effect of this facility on GPA's existing power distribution system. The applicant will be responsible for the cost of any required system upgrade.

ASG/arp



The Honorable
Eddie Baza Calvo
Governor

The Honorable
Ray Tenorio
Lieutenant Governor



Carl V. Dominguez
Director

Jessie B. Palican
Deputy Director

February 26, 2014

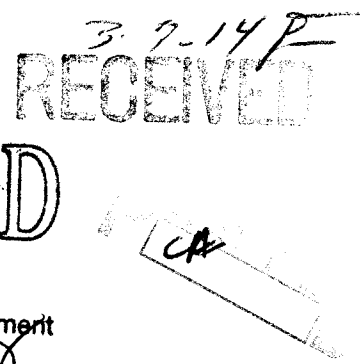
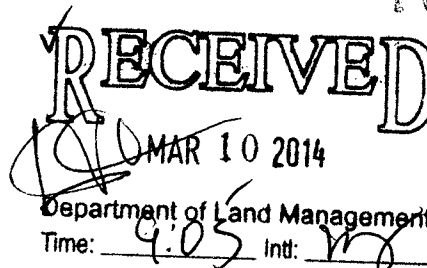
MEMORANDUM

TO: Director, Department of Land Management

FROM: Director

SUBJECT: Position Statement No. 2014 -10
Zone Change from "R-1" to "C"
Lot No. 2320NEW-2, Mangilao

Buenas yan Hafa Adai!



The applicants, Wang Su Qun and Kui Fang Wang, represented by Felix C. Benavente seek an approval of a zone change from "R-1" to "C", to construct a two storey commercial building to accommodate a retail store, and office area with an approximate dimension of 40'x 80'. The property is a triangular in shape has over 300' of highway frontage along Route 10 in Mangilao. Across the property is the Pacific Tyre Center which is a commercial establishment. The proposed use of the retail store is to provide immediate services or products to consumers within the vicinity and neighboring areas.

The Department of Public Works, (DPW) has completed its review of the subject application and has no objection to the requests provided the following conditions be in place:

- drainage water disposal must be shown in details in the final drawings and to be supported with calculations;
- parking layout and parking stalls (compact ,standard and accessible stalls) must meet the American Disability Act (ADA) requirements;
- adequate egress/ ingress must be coordinated with the Division of Highways, Rights of Way Section; and
- if the owner chooses to use GSWA disposal or any private services, the location of the trash bin container should be situated in an area that will not hinder the public rights of way.

DPW recommends approval, subject to the comments reviewed by the Application Review Committee (ARC) with conditions that the complete set of design drawings must meet all the requirements in conformance of the latest building code applicable to all the engineering disciplines and issuance of building permit.

Should you have any questions, please contact Mr. John F. Calanayan, Acting Chief Engineer or Maryrose M. Wilson, Engineer III in the Division of Capital Improvement Projects (CIP) at 646-3189/3225. *JFC*

Dangkulu na Si Yu'os Ma'ase !


CARL V. DOMINGUEZ

Handwritten notes and signatures in the bottom right corner, including 'Cg 21' and a signature.



Eddie B. Calvo
Governor

Ray Tenorio
Lt. Governor

Department of Parks and Recreation
Government of Guam
490 Chalan Palasyo
Agana Heights, Guam 96910
Director's Office: (671) 475-6296/7
Facsimile: (671) 477-0997
Parks Division: (671) 475-6288/9
Guam Historic Resources Division: (671) 475-6294/5
Facsimile: (671) 477-2822



Raymond F.Y. Blas
Director

RECD via fax 2/24/14
RECEIVED

MAR 04 2014

Department of Land Management
Time: 9:45 Int: MB

In reply refer to:
RC2014-0408

February 24, 2014

Memorandum

To: Executive Secretary, Guam Land Use Commission

From: Director, Department of Parks and Recreation

Subject: DLM Application No. 2014-10, Zone Change
Lot 2320 NEW-2, Municipality of Mangilao
Applicant: Wang Su Qun and Kui Fang Wang
Rep. by: FC Benavente and Planners, Case Planner: Celine Cruz

We reviewed the subject application and have determined no historic properties will be affected by the zone change, within the subject lot. Therefore, we have no objection to the approval of this Zone Change Application.

Should you have any questions, please do not hesitate to call us.

Raymond F.Y. Blas



EDDIE BAZA CALVO
Governor of Guam

RAY TENORIO
Lieutenant Governor of Guam

January 16, 2015

MEMORANDUM

TO: Chairman, Guam Land Use Commission

FROM: Guam Chief Planner

SUBJECT: Staff Report - Application No. 2015-09
RE: DLM Map 084FY 2013

1. PURPOSE:

A. **APPLICATION SUMMARY.** Property owners, Peter and Ellen Wilkinson submit a request for an agricultural subdivision plan as required by Public Law 28-126. This map was prepared by VP Olivares Surveying, LLC under the supervision of Mr. Virgilio P. Olivares, registered Professional Land Surveyor No. 77. The subdivision plat requests further subdivision of Lot 11-5NEW-R4 within Tract 1004 in the municipality of Dededo for a total of eight (8) agricultural lots subdivided from Basic Lot 11-5NEW-R4, Tract 1004¹.

B. **LEGAL AUTHORITY.** Public Law 28-126, Section 1(a); and Guidelines for Certification Process of March 06, 2007.

2. FACTS:

A. **Location.** The subject lot is located approximately 690 meters northeast bound from the intersection of Wusstig Road and Chalan Kaskahu.

B. **Lot area size.** Minimum required is 929 sm. Lot Area sizes are as follows:

TABLE 1		
No.	PROPOSE LOT NUMBER	SQUARE METERS
1	Tract 1044, Lot 11-5NEW-5	1,858
2	Tract 1044, Lot 11-5NEW-6	2,702
3	Tract 1044, Lot 11-5NEW-7	1,858
4	Tract 1044, Lot 11-5NEW-8 <i>R1 u/</i>	2,702
TOTAL	4 LOTS	9,120 square meters

¹ As recorded under Document No. 839215 provides for DLM Map No. 154FY2012, Lots 11-5 and 11-6, Tract 1044 were consolidated to create Lot 11-5NEW. The new lot was subsequently subdivided under a parceling subdivision map creating a total of five (5) lots. The property owner now request to subdivide the remaining larger Lot 11-5NEW-R4 into an additional four (4) ½ acre or greater lots. As a caveat, the map indicated that further subdivision of the subject property would require consideration under requirements provided per Public Law 28-126, Section 1(a).

Street Address:
590 S. Marine Corps Drive
Suite 733 ITC Building
Tamuning, GU 96913

Mailing Address:
P.O. Box 2950
Hagåtña, GU 96932

Website:
<http://dlm.guam.gov>

E-mail Address:
dlmdir@dlm.guam.gov

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

ATTACHMENT B

DIPĀTTAMENTON MINANEHAN TĀNO' (Department of Land Management) GUBETNAMENTON GUĀHAN (Government of Guam)



MICHAEL JB BORJA
Director

DAVID V. CAMACHO
Deputy Director

- C. **Present Zoning.** Subject property is zoned "A" (Rural-Agricultural) per to Official Zoning Map of Guam No. F3-67S41.

3. APPLICATION CHRONOLOGICAL FACTS:

- A. **Previous Commission Actions.** None.
- B. **Date Heard by ARC.** N/A.
- C. **Public Hearing and Results.** N/A.

4. **DISCUSSION:** Public Law 28-126 Section 1(a) requires that this Commission *shall not approve a survey map for any subdivision of any kind, including agricultural subdivisions, unless all of the following government officials have certified in writing that the proposed map meets the requirements of Title 21 G.C.A Chapter 62.*" This Map is being submitted under a "RE-SUBDIVISION" survey action since the primary purpose is to sell the individual lots. The following 7-required Government Officials have affixed or *in the process of affixing their certification* as follows:

TABLE 2			
	A	B	C
NO.	AGENCY	OFFICIAL	CERTIFICATION DATE
1	DLM	DIRECTOR	Signed per Sheet 1
2	DLM	CHIEF PLANNER	Signed per Sheet 1
3	DPW	DIRECTOR	Signed per Sheet 1
4	DPW	CHIEF ENGINEER	Signed per Sheet 1
5	GEPA	ADMINISTRATOR	Signed per Sheet 1
6	GFD	GUAM FIRE CHIEF	Signed by Fire Marshall per Sheet 1
7	REV & TAX	REAL ESTATE COMMISSIONER	Signed by Designated Real Estate Commissioner per Sheet 1

Public easement: The proposed subdivision is serviced by a 40-foot wide Public Access & Utility Easement. Each lot is designed to have access to the easement either directly or by panhandle lot design to Lot 11-2R/W (aka Chalan Kaskahu)².


Land Density: The subject property is located within the Northern Water Recharge Area. As public sewer is unavailable, residential/agricultural development will depend on the GEPA-accepted septic tank/leaching field waste disposal system. Density for such areas requires a minimum lot subdivision of ½ acre or 1858 sm. Each lot has been designed to such size or greater.

Signature of Certification: As noted in the signatory matrix all mandatory signature requirements have been accomplished.

² Title 21, Chapter 62, *Subdivision Law*, §62108 (b) requires every lot to abut a roadway right-of-way.

5. **STAFF RECOMMENDATIONS.** Recommend Approval WITH CONDITIONS as follows:

- A. That the applicant complies to all conditions noted on the cover sheet 1 of 2 on the map (DLM Map **DLM Map 084FY ~~2014~~**) or as required by Government permitting agencies; *2013*
- B. That, regardless of ownership, any future modifications to the parcels such as consolidation and Re-Subdivision, or any other methods of subdividing said parcels must be subjected to the Guam Land Use Commission's review prior to map approval; and
- C. That no ownership rights or title to any lots shall be transferred unless the required improvements such as water, power, and sewer including Conditions A & B above, are in place and ready to service any development on the lot.



Marvin Quitugua Aguilar
Guam Chief Planner
Department of Land Management

Subject Lot
Approximately
690 meters from
Intersection of Wusstig & Kaskahu

Chalan Kaskahu

Chalan Kaskahu

Chalan Kaskahu

Wusstig Road

B0 ONE-FAMILY DWELLING ZONE
B0 ONE-FAMILY DWELLING ZONE

MODERATE
B0
MODERATE

CERTIFICATIONS AND CONDITIONS

PURSUANT TO PUBLIC LAW 28-126, WE, THE GOVERNMENT OFFICIALS CERTIFY THAT THE PROPOSED AGRICULTURAL SUBDIVISION SURVEY MAP MEETS THE REQUIREMENTS OF TITLE 21 G. C. A. CHAPTER 62:

"THIS MAP MEETS THE REQUIREMENTS OF TITLE 21, GCA CHAPTER 62, SUBDIVISION LAW"

W. A. Aguilar
W. A. AGUILAR, CHIEF PLANNER
DEPARTMENT OF LAND MANAGEMENT
DATE: 1/15/2015

- CONDITIONS OF SUBDIVISION MAP APPROVAL BY THE GUAM CHIEF PLANNER
1. TO COMPLY WITH THE GENERAL REQUIREMENTS FOR SUBDIVISION AS SPECIFIED UNDER ARTICLE 1, SECTION 62108 (c) THRU (g), CHAPTER 62 OF TITLE 21 GUAM CODE ANNOTATED;
 2. TO COMPLY WITH THE ROAD CONSTRUCTION STANDARDS PURSUANT TO ARTICLE 5, SECTION 62108 (c) THRU (g), CHAPTER 62 OF TITLE 21 GUAM CODE ANNOTATED AND CHAPTER 1, ARTICLE 2, SECTION 3212 (b) OR SECTION 3219 (b) OF TITLE 18, GOVERNMENT ADMINISTRATIVE RULES AND REGULATIONS; AND
 3. TO COMPLY WITH THE PROVISIONS OF ARTICLE 1, SECTION 62112, CHAPTER 62 OF TITLE 21, GUAM CODE ANNOTATED.

W. A. Aguilar
DIRECTOR, DEPARTMENT OF LAND MANAGEMENT
DATE: JAN 15, 2015

"THIS MAP MEETS THE REQUIREMENTS OF TITLE 21, GCA CHAPTER 62, SUBDIVISION LAW"

Carl Dominguez
CARL DOMINGUEZ
CHIEF ENGINEER, DEPARTMENT OF PUBLIC WORKS
DATE: 9/12/14

CONDITIONS OF SUBDIVISION MAP APPROVAL BY THE DIRECTOR OF DPW:
THIS MAP SHALL CONFORM TO THE REQUIREMENTS OF TITLE 21, GCA CHAPTER 62, SUBDIVISION LAW FROM DATE OF APPROVAL OF THE GUAM CHIEF ENGINEER / CHIEF OF CADASTRE.

Carl Dominguez
CARL DOMINGUEZ
ACTING DIRECTOR, DEPARTMENT OF PUBLIC WORKS
DATE: 11/22/13

"THIS MAP MEETS THE REQUIREMENTS OF TITLE 21, GCA CHAPTER 62, SUBDIVISION LAW"

Angel B. Marquez
ANGEL B. MARQUEZ, CHIEF ENGINEER (ACTING)
GUAM ENVIRONMENTAL PROTECTION AGENCY (GEPA)
DATE: 10-9-13

THIS APPROVAL IS MADE IN ACCORDANCE WITH THE PROVISIONS OF 21 GCA SECTIONS 6150 (G) AND 6150 (H) AND IS NOT A GUARANTEE OF THE ACCURACY OF THE MAP OR THE DISPOSITION FOR ALL LOTS SHALL BE IN ACCORDANCE WITH 10 GCA CHAPTER 48.

APPLICATION FOR BUILDING PERMIT(S) FOR STRUCTURES AND FACILITIES OTHER THAN THOSE ASSOCIATED WITH THE SUBDIVISION (E.G., ROADS, WATER LINES, SEWERS, ETC.) WILL NOT BE MADE UNTIL POTABLE WATER IS AVAILABLE TO ALL LOTS.

Eric M. Palacios
ERIC M. PALACIOS, ADMINISTRATOR
GUAM ENVIRONMENTAL PROTECTION AGENCY (GEPA)
DATE: 10/24/13

"THIS MAP MEETS THE REQUIREMENTS OF TITLE 21, GCA CHAPTER 62, SUBDIVISION LAW"

James E. San Nicolas
JAMES E. SAN NICOLAS, FIRE CHIEF
GUAM FIRE DEPARTMENT
DATE: 11/9/13

- THIS APPROVAL IS MADE IN ACCORDANCE WITH THE 10 GCA, CHAPTER 73, SUBSECTIONS 73111, 2009 FC AS FOLLOWS:
1. PUBLIC ACCESS WAY SHALL ADHERE TO THE REQUIREMENTS OF CHAPTER 5, SECTION 503 AND APPENDIX OF 2009 INTERNATIONAL FIRE CODE.
 2. SHALL PROVIDE ROAD SIGNS AS STATED ON CHAPTER 5, SECTION 505.2 OF THE 2009 INTERNATIONAL FIRE CODE
 3. PROVIDE AS NOTED IN CHAPTERS 5, SECTION 507, APPENDIX B AND APPENDIX C OF THE 2009 INTERNATIONAL FIRE CODE.
 4. PLANS AND HYDRAULIC CALCULATIONS SHALL BE SUBMITTED FOR REVIEW AND APPROVAL TO THE GUAM FIRE DEPARTMENT PRIOR TO INSTALLATION OF ANY FIRE PROTECTION WATER SUPPLIES AS STATED IN CHAPTER 5, SECTION 501.3 OF THE INTERNATIONAL FIRE CODE.

"THIS MAP MEETS THE REQUIREMENTS OF TITLE 21, GCA CHAPTER 62, SUBDIVISION LAW"

John P. Camacho
JOHN P. CAMACHO
REVENUE & TAX REAL ESTATE COMMISSION
DIRECTOR OF REVENUE AND TAXATION
DATE: 10/08/2013

GLUC CONDITIONS OF APPROVAL:

1. THAT THE APPLICANT COMPLETES TO ALL CONDITIONS NOTED ON THE COVER SHEET 1 AND 2 ON THE MAP OR AS REQUIRED BY GOVERNMENT PERMITTING AGENCIES; AND
2. THAT AS TO GEPA CONDITION 2, SPECIFICALLY CONCERNING "SEWER", THE APPLICANT IS REQUIRED TO COORDINATE WITH SAID AGENCY FOR AN EXEMPTION PRIOR TO THE EXPIRATION OF THE ONE (1) YEAR REQUIREMENT FROM DATE OF MAP APPROVAL BY DLM AS IMPOSED BY GEPA; AND
3. A COPY OF GEPA'S EXEMPTION SHALL BE PROVIDED TO THE CHIEF PLANNER, OTHERWISE, COMPLIANCE TO THE GEPA'S CONDITION 2 SHALL BE ADHERED TO; AND
4. THAT APPLICANT SHALL COORDINATE WITH DPW CONCERNING CONSTRUCTION OF STORMWATER DRAINAGE FACILITIES CHALAN KASKAHU AND
5. THAT ANY FUTURE MODIFICATIONS TO THE PARCELS SUCH AS CONSOLIDATION AND RE-SUBDIVISION OR ANY OTHER METHODS OF SUBDIVIDING SAID PARCELS SHALL FIRST BE REVIEWED AND DECIDED BY THE GUAM LAND USE COMMISSION RESPECTIVE OF OWNERSHIP.
6. THAT NO OWNERSHIP RIGHTS OF TITLE TO ANY LOTS SHALL BE TRANSFERRED UNLESS THE REQUIRED IMPROVEMENTS (WATER, POWER, TELEPHONE, SEWER (IF APPLICABLE)) ARE IN PLACE AND READY TO SERVE ANY DEVELOPMENT ON THE LOT.

GUAM LAND USE COMMISSION DECISION

THE GUAM LAND USE COMMISSION OF ITS REGULAR MEETING ON _____, 2014,
APPROVED _____, APPROVED WITH CONDITIONS _____,
DISAPPROVED _____, THIS _____.

Lawrence Rivera
LAWRENCE RIVERA
CHAIRMAN GUAM LAND USE COMMISSION
DATE: _____



I, VIRGILIO P. OLIVARES, HEREBY CERTIFY THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, THAT I WAS BASED ON ALL FIELD DATA, AND THAT I AM RESPONSIBLE FOR THE ACCURACY OF ALL DATA AND INFORMATION SHOWN HEREON. I ALSO CERTIFY THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED ON THIS MAP.

VIRGILIO P. OLIVARES, P. L. S. # 77
DATE: 09-30-13
EXP. DATE: 04-30-2015

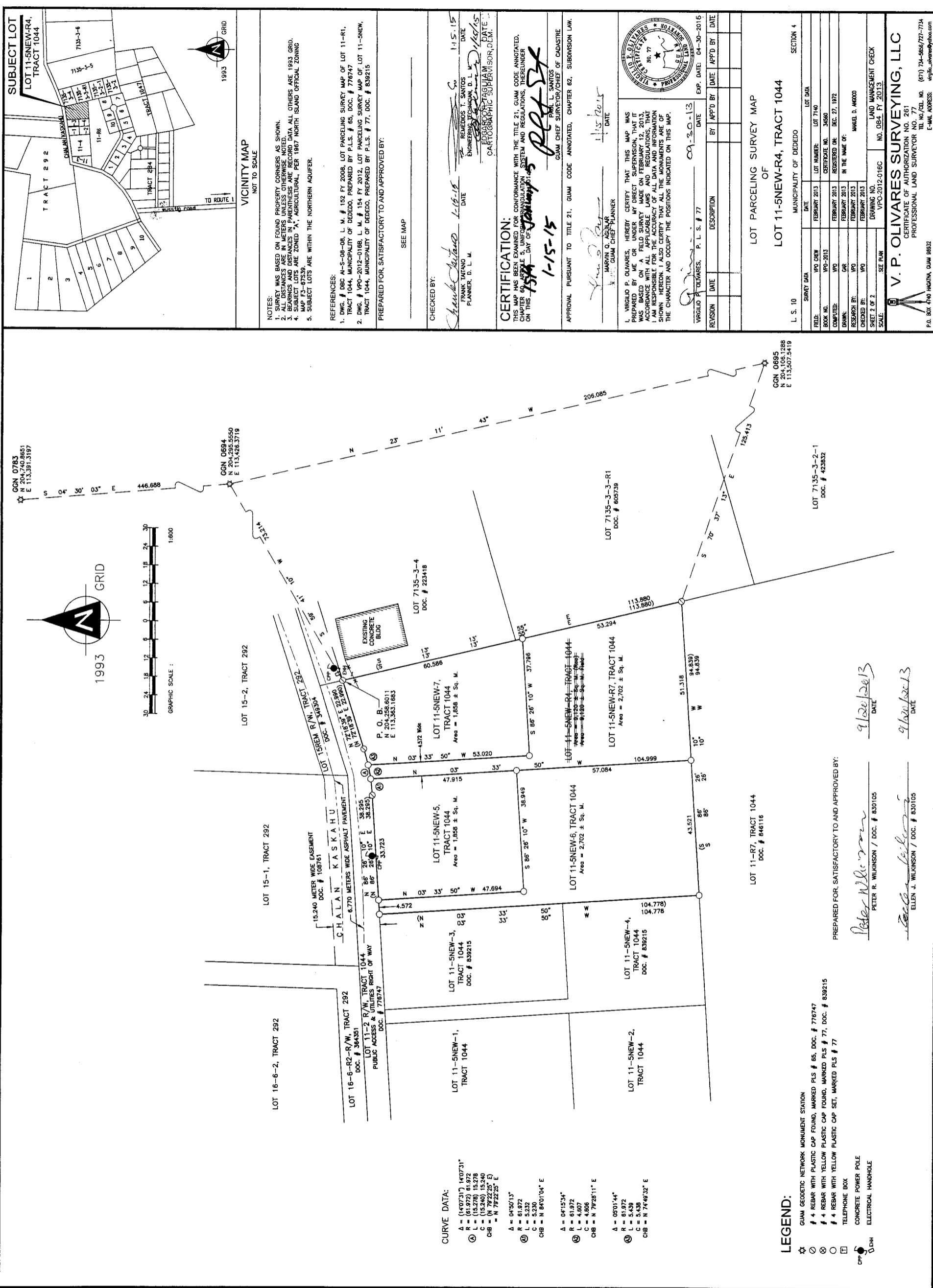
REVISION DATE DESCRIPTION BY APP'D BY DATE APP'D BY DATE

LOT PARCELING SURVEY MAP
OF
LOT 11-5-NEW-R4, TRACT 1044
MUNICIPALITY OF DEDEDO
SECTION 4

SURVEY DATA	DATE	LOT DATA
FIELD: VPO GCM	JULY 2011	LOT NUMBER: LOT 7140
BOOK NO. VPO-2011		CERTIFICATE NO. 34560
COMPUTED: VPO	JULY 2011	REGISTERED ON: DEC. 27, 1972
DRAWN: GMR	JULY 2011	IN THE NAME OF: MANUEL D. ANGGCO
RESEARCH BY: VPO	JULY 2011	
CHECKED BY: VPO	JULY 2011	
SHEET 1 OF 2		
SCALE: SEE PLAN		
DRAWING NO. VPO-2012-016C		NO. 084, PT 2013
LAND MANAGEMENT CHECK		

V. P. OLIVARES SURVEYING, LLC
CERTIFICATE OF AUTHORIZATION NO. 261
PROFESSIONAL LAND SURVEYOR NO. 77

TEL NO./FAX NO. (671) 744-5858/721-7174
E-MAIL ADDRESS: virgilio_olivares@yahoo.com
P.O. BOX 810 HAGATNA, GUAM 96932



SUBJECT LOT
LOT 11-5NEW-R4,
TRACT 1044

NOTES:

- SURVEY WAS BASED ON FOUND PROPERTY CORNERS AS SHOWN.
- ALL DISTANCES ARE IN METERS UNLESS OTHERWISE NOTED.
- ALL DISTANCES IN PARENTS ARE RECORD DATA. ALL OTHERS ARE 1993 GRID.
- SUBJECT LOTS ARE ZONED A-1, AGRICULTURAL, PER 1987 NORTH ISLAND OFFICIAL ZONING.
- MAP F3-072339.
- SUBJECT LOTS ARE WITHIN THE NORTHERN AQUIFER.

REFERENCES:

- DWG. # DBC A-5-08-08, L.M. # 152 FY 2008, LOT PARCELING SURVEY MAP OF LOT 11-R1, TRACT 1044, MUNICIPALITY OF DEDEDO, PREPARED BY P.L.S. # 65, DOC. # 776747
- DWG. # VPO-2012-0188, L.M. # 154 FY 2012, LOT PARCELING SURVEY MAP OF LOT 11-SNEW, TRACT 1044, MUNICIPALITY OF DEDEDO, PREPARED BY P.L.S. # 77, DOC. # 839215

PREPARED FOR, SATISFACTORY TO AND APPROVED BY:

CHECKED BY:
Frank Tatano
FRANK TATANO
PLANNER, D. L. M.
DATE: 1-15-15

CERTIFICATION:
THIS MAP WAS EXAMINED FOR CONFORMANCE WITH THE TITLE 21, GUAM CODE ANNOTATED, CHAPTER 62, SUBDIVISION AND REGULATION, HEREINAFTER REFERRED TO AS "TITLE 21".
ON THIS 15th DAY OF January 2015
I, *Edgardo Taguima*
EDGARDO TAGUIMA
CARTOGRAPHIC SUPERVISOR, D.C.M.
DATE: 1-15-15

APPROVAL PURSUANT TO TITLE 21, GUAM CODE ANNOTATED, CHAPTER 62, SUBDIVISION LAW.
Paul L. Santos
PAUL L. SANTOS
GUAM CHIEF SURVEYOR/CHIEF OF CADASTRE
DATE: 1-15-2015

LOT PARCELING SURVEY MAP
OF
LOT 11-5NEW-R4, TRACT 1044

SECTION 4

REVISION	DATE	DESCRIPTION	BY	APPROVED BY	DATE
1	1-15-15	ORIGINAL	EDGARDO TAGUIMA	PAUL L. SANTOS	1-15-15

EXP. DATE: 04-30-2016

LOT DATA

FIELD	DATE	LOT DATA
FIELD	FEBRUARY 2013	LOT 1140
BOOK NO.	VPO-2013	CERTIFICATE NO. 34560
COMPUTED	FEBRUARY 2013	REGISTERED ON DEC. 27, 1972
DRAWN	GA	IN THE NAME OF:
RESEARCH BY	VPO	MANUEL D. ANXOXO
CHECKED BY	VPO	MANUEL D. ANXOXO
SHEET 2 OF 2		
SCALE		

LAND MANAGEMENT CHECK
DRAWING NO. VPO-2012-018C NO. 084 FY 2013

V. P. OLIVARES SURVEYING, LLC
CERTIFICATE OF AUTHORIZATION NO. 261
PROFESSIONAL LAND SURVEYOR NO. 77
TEL. NO./CEL. NO. (671) 734-5566/727-7734
E-MAIL ADDRESS: virgilio.olivares@yahoo.com

CURVE DATA:

① A = (140731) 140731°
R = (61972) 61972°
L = (15278) 15278°
C = (15240) 15240°
CHB = N 78°22'25" E

② A = 04°50'13°
R = 61972°
L = 5230°
C = 5230°
CHB = N 84°01'04" E

③ A = 04°15'34°
R = 61972°
L = 4807°
C = 4807°
CHB = N 78°28'11" E

④ A = 05°01'44°
R = 61972°
L = 5230°
C = 5230°
CHB = N 74°49'32" E

LEGEND:

- ☆ GUAM GEODETIC NETWORK MONUMENT STATION
- ① 4 REBAR WITH PLASTIC CAP FOUND, MARKED PLS # 65, DOC. # 776747
- ② 4 REBAR WITH YELLOW PLASTIC CAP FOUND, MARKED PLS # 77, DOC. # 839215
- ③ 4 REBAR WITH YELLOW PLASTIC CAP SET, MARKED PLS # 77
- ☐ TELEPHONE BOX
- ☐ CONCRETE POWER POLE
- ☐ ELECTRICAL HANDHOLE

PREPARED FOR, SATISFACTORY TO AND APPROVED BY:

Peter R. Wilkinson
PETER R. WILKINSON / DOC. # 830105
DATE: 9/26/2013

Ellen J. Wilkinson
ELLEN J. WILKINSON / DOC. # 830105
DATE: 9/26/2013

CHAMORRO LAND TRUST COMMISSION

RESOLUTION 2014-001

A RESOLUTION TO ENGAGE IN CREATING VARIOUS RESIDENTIAL AND AGRICULTURAL SUBDIVISION MASTER PLANS THROUGH THE ASSISTANCE OF THE DEPARTMENT OF LAND MANAGEMENT

WHEREAS, the Chamorro Land Trust Commission, (*hereafter CLTC*) finds it is its inherent responsibility to regulate the use of its public lands assets with the intent to promote and protect the public health, safety and general welfare of its benefactors and the people of the Territory of Guam; and

WHEREAS, the CLTC finds such regulations must be consistent with the implied intent subdividing lands within the territory of Guam and particular should be designed to encourage the most appropriate use of land, to provide adequate open spaces about buildings for light and air, to prevent undue concentration of population, and to assure adequate provisions for community utilities and facilities such as water, schools, parks and other public requirements; and

WHEREAS, the CLTC desires to create and prescribe a cohesive workflow process to encourage and solidify appropriate land subdivision development, in accordance with applicable statutes for its public land assets; and

WHEREAS, the CLTC, by virtue of its authority and through the subject matter expertise assistance of the both the Divisions of Planning and Land Survey at the Department of Land Management, has embarked in an effort to effectuate a series of land subdivision master plans as a means to insure its fiduciary responsibility of efficient and effective distribution of land resources to its trust benefactors for the purpose of residential and agricultural use; and

WHEREAS, such subdivision master plans are to serve as development templates for each new CLTC- sponsored subdivision created strictly for subsistent agricultural and residential uses; and notwithstanding

WHEREAS, Public Law 31-170 was promulgated for the purpose of exempting previously-approved sketch CLTC maps of lease sites, from the requirements of Article 2, Chapter 62, Title 21, GCA relative to subdivision and recordation procedures as a means to expedite subdivision map review and recordation however, the CLTC has determined that requirements under P.L. 31-170 applies only to pending-approval maps on or prior to January 24, 2012; and

WHEREAS, the CLTC desires to integrate such subdivided lots into proposed subdivision master plans as means to eliminate further haphazard subdivision activities on medium and/or large parcels; and

WHEREAS, Public Law 28-126 exempts required administrative multi-agency review of subdivision maps under deemed for "Lot Parceling", however, once "Lot Parceling" is applied to a

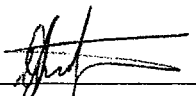
large tract of land, such opportunity for further parceling is exhausted per passage date of Public Law 28-126; and

WHEREAS, Public Law 28-126 through its statutory requirements is flawed with respect to the fact that no administrative relief from approving a subdivision map under its authority is availed in the event a mandatory signatory is absent or unavailable. This has caused a significant delays with respect to approving subdivision map for public lands.

NOW THEREFORE BE IT RESOLVED:

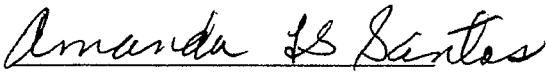
1. The Chamorro Land Trust Commission finds it desirable to embark on an endeavor to apply extensive and cohesive land subdivision master planning efforts of large and medium parcels of government land for the purpose of:
 - a. Implementing the most appropriate use of land, to provide adequate open spaces about buildings for light and air, to prevent undue concentration of population, and to assure adequate provisions for community utilities and facilities such as water, schools, parks and other public requirements;
 - b. Ensuring government land resources are made readily available and appropriately distributed amongst qualified CLTC benefactors;
 - c. Implementing a process of administrative controls over the distribution of government land resources under the CLTC land inventory for the purpose of agricultural and residential use whereby through such controls, creating a workflow platform designed to insure the application of fundamental land subdivision requirements as practicable pursuant to land use-zoning and subdivision laws of Guam.
2. The CLTC hopes and prays for:
 - a. the Guam Land Use Commission's concurrence through resolution that such responsibilities as noted in 1 a through c in this resolution be tasked to the Public Lands Administrator through coordinative efforts with the Division of Land Planning and Land Survey Division;
 - b. the GLUC, in its authority, directs the Department of Land Management's Land Planning and Land Survey Division to initiate work plans for the purpose of designing subdivision master plans for all medium and large tracts of CLTC land assets, where such work plan shall contain:
 - i. Schematic requirements as provided in 21GCA, Chapter 62, Subdivision Law.
 - ii. Workflow processes involving CLTC & DLM coordination, planning, and review.
3. Both Land Planning Division and Land Survey Division shall be responsible for applying all necessary technical and administrative services as necessary to insure each master planned subdivision plat in accordance with the fundamental principles of both the Zoning and Subdivision Laws of Guam.

SO RESOLVED AND DULY AND REGULARLY ADOPTED this 21st day
of August, 2014.



Acting Chairman, CLTC

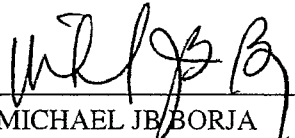
Vice-Chairman, CLTC



Member, CLTC



Member, CLTC



MICHAEL J. BORJA
Administrative Director, CLTC